



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 4763 of 2024

Cynthia Julious Charlie

vs.

The Vice Chancellor, Sant Gadge Baba, Amravati University, and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. K. V. Kothale, Counsel for petitioner.

CORAM :- BHARATI DANGRE AND ABHAY J. MANTRI, JJ.

DATE :- 30th SEPTEMBER, 2024

In earlier round, i.e. in Writ Petition No.1610 of 2020 the petitioner sought directions against the respondents, which included the College in which she has secured her admission to release mark sheets of VI and VIII Semesters and to treat her admission from 'Open' category.

By the judgment dated 27.06.2022 this relief was declined to the petitioner by making reference to the invalidation of her tribe claim by the Caste Scrutiny Committee and therefore by holding that the prayer of the petitioner was contrary to the Rules and Regulations framed by the Directorate of Technical Education, the petition was dismissed.

2. Today, when the petitioner approaches this Court with the same relief, Mr. Kothale, learned counsel representing the petitioner placed reliance on the communication dated 06.10.2022 issued by the Principal, Vidya Bharati College of Pharmacy, Amravati to the Vice-Chancellor, Sant Gadge Baba Amravati University declaring that, the petitioner who had sought admission in the College in B. Pharm. course in the Academic Year 2014-15 and continued there upto the Academic Year 2018-19, her admission was from the 'Open' category and she had accordingly deposited/paid requisite fees in the College.

Relying upon this communication, the petitioner seeks directions to the respondents to hand over mark sheets of VI and VIII Semesters by treating her as 'Open' category candidate.

3. The question that arises before us is as to the permissibility of this act on the part of the College despite rejection of the relief by this Court and permitting the petitioner to be treated as 'Open' category candidate subsequent to the invalidation of her claim of belonging to 'Gond' Scheduled Tribe.

4. However, in the fitness of things, we issue notice to the respondent nos. 1 and 2 by marking the same returnable on 11th October, 2024.

Hamdast granted. In addition, notice is permitted by private service.

Mr. J. Y. Ghurde, learned Assistant Government Pleader waives service of notice for respondent no.3.

(ABHAY J. MANTRI, J.)

(BHARATI DANGRE , J.)

Andurkar.