



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

942 WRIT PETITION NO. 3128 OF 2017

**MRUNMAYI RAVINDRA SURYAWANSHI THROUGH HER FATHER
RAVINDRA BALIRAM SURYAWANSHI**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Mr. Barlinge S.R.

AGP for Respondent/State : Mr.G.A. Kulkarni

Advocate for Respondent no.3 : Mr.A.S. Bayas

WITH

**REVIEW APPLICATION (CIVIL) NO. 197 OF 2014
IN WP/2882/2011**

RAVINDRA BALIRAM SURYAWANSHI AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

**CORAM : NITIN B. SURYAWANSHI &
VAISHALI PATIL – JADHAV, JJ.**

DATE : DECEMBER 11, 2025

PER COURT:

REVIEW APPLICATION (CIVIL) NO.197/2024 :-

Learned Advocate for the applicants seeks permission to not press review application. Review Application is, therefore, disposed of as not pressed.

WRIT PETITION NO. 3128/2017 :-

By this petition, the petitioner seeks directions to Respondent No.3 to issue degree certificate to the petitioner as she has passed the examination of Bachelor of Dental Sciences (B.D.S.).

2. Undisputed facts, which led to this petition are that the petitioner secured admission to B.D.S. course on the seat reserved for Scheduled Tribe claiming that she belongs to Tokre Koli, Scheduled Tribe. The petitioner and her father had filed Writ Petition no.2882/2011 challenging the decision of the Committee dated 24.02.2011, thereby invalidating their Tribe Claim. The Writ Petition came to be dismissed by this Court vide order dated 06.02.2014. The petitioner then preferred Review Application (Stamp) No. 13583/2014. In review application, by order dated 13th October, 2014, this Court passed the following order :-

"4. Considering the facts, we direct Respondent No.3- University to declare result of applicant no.2 for 7th Semester examination of B.D.S. Degree course and permit her to fill in the application form for the examination of 8th semester of B.D.S. Degree course."

3. Pursuant to the above order, the petitioner's result was declared and then she appeared for 8th semester and successfully completed the same.

4. During the pendency of the present petition, the petitioner's father expired and today, the petitioner has not pressed the review application. Since the petitioner has given an undertaking to this Court stating that she will not take any benefit of the tribe as belonging to Tokre Koli, Scheduled Tribe and as she has restricted her claim to the extent of completion of graduate i.e. B.D.S. degree course, she now prays that degree certificate may be issued to her. It is her further case that she has paid the entire fees of B.D.S. course as applicable to the open category student.

5. Learned Advocate for the University strenuously opposed the prayers of the petitioner contending that the petitioner has secured admission on a seat reserved for S.T. category candidate, thereby depriving a deserving candidate from that category from prosecuting the course. He would submit that as per rules and regulations of the University, unless and until, petitioner submits a validity certificate, the degree certificate cannot be issued to her.

6. Taking into consideration, the fact that the petitioner has completed her course and she has paid the entire fees as applicable to the open category student and as the petitioner has given her undertaking that she will not take benefit of Tokre Koli, Scheduled Tribe, we are inclined to allow the prayer of the petitioner.

7. The petitioner has relied on various orders passed by the Apex Court in similar circumstances, thereby giving direction to the

respondents to award the degree certificates to the petitioners therein, giving undertaking not to place reliance or take any benefit of the caste certificate that was invalidated, in future. Such orders are passed in the cases of ***Ajay Dattatraya Bandewad Vs. The State of Maharashtra and Ors in Civil Appeal arising out of SLP (C) No.3926/2025 dated 13.05.2025*** and ***Mrudula Vs. The State of Maharashtra and Ors in Special Leave to Appeal (C) No. 15902/2023 dated 13.05.2025.***

8. In the backdrop of above, since the petitioner has paid full fees and has given an undertaking that she will not take benefit of "Tokre Koli, Scheduled Tribe", we are inclined to allow the petition. Accordingly, Writ Petition is partly allowed. The respondent - University is directed to issue degree certificate to the petitioner within four weeks from today along with original documents submitted by the petitioner, subject to unpaid fees, if any.

[VAISHALI PATIL – JADHAV, J.]

[NITIN B. SURYAWANSHI, J.]