



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5813 OF 2020
IN WP/10300/2019

ADESH RAJU BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Mr. A. M. Manjramkar
AGP for Respondents-State : Mr. V. M. Kagne
...

WITH
CIVIL APPLICATION NO. 1183 OF 2020
IN WP/10300/2019

WITH
CIVIL APPLICATION NO. 3527 OF 2024
IN WP/10300/2019

WITH
CIVIL APPLICATION NO. 6627 OF 2020
...

CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.

Dated : June 23, 2025

PER COURT :-

1. Respondent Nos. 5 and 6, have already been served in the Writ Petition as well as in the Civil Application. No appearance is entered, either in person or through an Advocate.

2. The learned Advocate for the Petitioners / Applicants draws our attention to the order dated 20.08.2019, wherein this Court directed the Petitioner to continue with the education, but pay full fees since his claim of belonging to Mahar Scheduled Caste category, was rejected. The Petitioner had claimed to have undergone Baptism in order to embrace Christianity. We are informed that the Petitioner has paid entire fees to the College as if he has taken admission from the Open Category.

3. The above contention could have been squarely answered by the Management. However, the Management chose to remain absent despite service of Court notice in the Writ Petition as well as the Interim Application.

4. In view of the above, **the Interim Application is allowed.** Since the Petitioner makes a statement that after receiving the original documents, he would opt for Post Graduation educational course on a seat available for the Open Category, we direct Respondent Nos. 5 and 6 to return the original documents of the Petitioner and issue a certificate that the Petitioner has availed of the education curriculum from the open category, within 30 days.

5. We make it clear that since the Petition challenging the invalidation is pending, if the claim of the Petitioner is validated, he would be entitled for the benefits. However, if the claim is invalidated, the law laid down by the Hon'ble Supreme Court in ***Chairman and Managing Direct FCI and Ors. Vs. Jagdish Balaram Bahira and Ors. (AIR 2017 SC 3271)***, would be applicable to the Petitioner.

6. The other pending Civil Applications, do not survive and stand disposed off.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

Omkar Joshi