

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO.40 OF 2025**

Kinjal Vilas Bastav and Ors.

... Petitioners

**Versus**

State of Maharashtra and Ors.

... Respondents

...

Mr R K Mendadkar a/w Ms. Komal Gaikwad for the Petitioner.

Mr Vikas Mali, for Respondent No.3. (CET-CELL).

Ms. Pooja Joshi Deshpande, AGP for the Respondent  
 No.1/State.

...

**CORAM: BHARATI DANGRE &**  
**ASHWIN D. BHOBE, JJ.**  
**DATED : 3<sup>rd</sup> JANUARY, 2025**

**P.C:-**

1. On 23.12.2024, the claim of the Petitioners, as belonging to the Koli Mahadev, is rejected by the Scheduled Tribe Scrutiny Committee Konkan Division Thane.

This order is the subject matter of the present petition.

2. Mr. Mendadkar has invited our attention to the *prima facie* observation of this Court recorded in Writ Petition No.14956 of 2024 filed by the Petitioner No.1, when her claim was pending before the Committee, but she was aspiring to

seek admission to B. Pharmacy degree course. According to Mr. Mendadkar, this Court in paragraph No.4 had recorded thus:-

“Considering the law laid down in the ***Maharashtra Adivasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra*** 2023 SCC OnLine SC 326, the Petitioner’s case appears to be covered.”

3. It is the specific contention raised in paragraph No.20 of the petition that pending the decision of Respondent No.2 Committee, the Respondent No.4 College has granted admission to the Petitioner No.1 in first year of B.Pharmacy under reserved category of Scheduled Tribe.

Considering that the Petitioner is admitted into a degree course and her claim has been invalidated, we deem it appropriate to direct the listing of this petition on **13<sup>th</sup> January 2025** at 2.30 p.m.

4. The learned AGP waive notice for Respondent No.1 to 3 including the Scheduled Tribe Certificates Scrutiny Committee, and she is directed to procure the record of the case of the Petitioners and she shall also secure the presence of one of the Officers of the Committee to assist her, since the Petition is to be heard finally.

5. In the mean time, the admission of the Petitioner No.1 which was already directed to be protected vide order dated 23<sup>rd</sup> October 2024, by directing the which interim order to continue till the case of the Petitioner was decided by committee, is further extended till we hear the Writ Petition.

**(ASHWIN D. BHOBE, J.)**

**(BHARATI DANGRE, J.)**