

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 3528 OF 2025
IN
WRIT PETITION NO. 14542 OF 2022**

Rushikesh Bharat Garud. ... Applicant.

Versus

State of Maharashtra & Ors. ... Respondents.

Mr. Ravindra Adsure a/w. Mr. Rahul Wani, for the Applicant.

Mr. Nitin Gangal, Special Counsel a/w. Mr. V.M. Mali, AGP for Respondent/State.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 9th APRIL, 2025

P.C. :

1. The learned Advocate for the Applicant/Petitioner draws our attention to the earlier order dated 24th March, 2025 and points out that the statement of Shri Gangal, learned Advocate was recorded that the Hon'ble Supreme Court has listed the SLPs before it on 4th April, 2025.

2. He makes a serious grievance that none of the SLPs mentioned in the order of this Court dated 24.3.2025, were listed before the Hon'ble Supreme Court. They were on the Advance

List-AL/57/2025 under the caption of “Miscellaneous matter to be listed on 4.4.2025” with an additional head of “TENTATIVE LIST OF MATTERS WHICH ARE LIKELY TO BE LISTED”. The SLPs that were mentioned before us were at Serial No. 543.

3. Shri Gangal submits that the pleadings are completed only in SLP No. 15099 of 2024 (The State of Maharashtra and Others v/s. Rakesh Bhimashankar Umbarje & Ors.). In rest of the matters, according to him, the learned Advocate for the present Petitioner has not filed affidavit in reply on behalf of the individual Respondents whom he represents. Hence, these matters would never be ready for hearing before the Hon’ble Supreme Court.

4. The learned Advocate for the Petitioner submits that his education has already stopped in May, 2021. Several blood relatives from the paternal side have been granted validity certificates. Applying the law laid down in *Shweta Balaji Isankar v/s. State of Maharashtra & Ors.* (2018 SCC Online Bom 10363), he prays that the Petitioner be granted a conditional validity certificate with the rider that if the claim of other validity holders from whom he derives support for his claim, are subjected to reopening of their cases and if their claims are invalidated, the same consequences would visit the present Petitioner.

5. Shri Gangal submits that the State is not ready to give its consent for this proposition.

6. Shri Gangal submits that the State Government will once again move the Hon'ble Supreme Court in Rakesh Bhimashankar Umbarje case wherein pleadings are complete and would request the Hon'ble Court to commence the hearing in the matter.

7. We do agree with the submission of the learned Advocate for the Petitioner that every passing month, not pursuing further education is causing grave hardships to him, not only in education, but even mentally and physically. He has conveyed to us that the Petitioner is feeling exasperated since all his batch-mates have completed their internship and have also undergone their post graduations course and several of them have secured employment. Per contra, the Petitioner is sitting at home and is getting frustrated. In view of such submissions, on 9th June, 2025 we would consider this proceedings at least Interim Application for interim orders.

8. Since it is conveyed to us by the learned Counsel for the

parties that the Umbarje Petition and other petitions are scheduled for tentative listing on 16th April, 2025, we would appreciate if Mr. Gangal makes an efforts for a hearing in the matter.

9. In the light of the above, and considering that the present Petitioner is a young student, we are listing this matter on the first day after vacation i.e. 9th June, 2025 at 2.30 p.m. for hearing. On the said date, the Learned Counsel Mr. Gangal should apprise us as to whether the State Government has moved the matter before the Supreme Court and whether any orders have been passed.

10. In the event the Hon'ble Supreme Court takes up the Petitions filed by the State of Maharashtra before closing for vacation and if some orders are passed, the Petitioner is at liberty to circulate this matter before commencement of the vacation of the Bombay High Court.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)