



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

**CIVIL APPLICATION NO.2061 OF 2025 IN
WRIT PETITION NO.5013 OF 2025**

(Pratik s/o Mangesh Bhatore Vs. Schedule Tribe Caste Certificate Scrutiny Committee,
Amravati and ors.)

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

Court's or Judge's Order

Mr. A.P. Kalmegh, Advocate for the petitioner.
Mrs. K.H. Bhondge, AGP for respondent No.1/State.
Mr. N.A. Gaikwad, Advocate for respondent No.2.

**CORAM :- SMT. M.S. JAWALKAR AND
RAJ DAMODAR WAKODE, JJ.**

DATED :- SEPTEMBER 03, 2025.

The petitioner by way of this application seeks permission to amend the petition to bring on record the Government Resolution dated 26/08/2025, thereby granted extension of six months only to the students belonging to the SEBC and OBC category for submission of Caste Validity Certificate.

2. In view of this subsequent developments, the petitioner seeks permission to amend the paragraph No.15 by adding paragraph Nos.15A to 15E.

3. There is no serious objection to the amendment.

4. For the reasons mentioned in the application, the application is allowed.

5. The amendment be carried out forthwith.

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Issue notice to the respondents.

2. Learned AGP waives notice for respondent No.1/State.

3. Mr. N.A. Gaikwad, learned Counsel waives notice for respondent No.2.

4. The present petition is filed for direction to the respondent No.1 - Caste Scrutiny Committee to decide the caste claim of the petitioner within stipulated period.

5. The petitioner also sought interim relief restraining respondent No.2 – State Common Entrance Test Cell, Mumbai not to cancel the admission given to the petitioner from Scheduled Tribe category for want of submission of Validity Certificate. The petitioner obtained caste certificate from Sub-Divisional Officer, Khamgaon dated 17/08/2021 of Thakur Scheduled Tribe. The Proposal for Validity submitted on 30/11/2024 along with the necessary documents i.e. old documents prior to 1950 submitted by the petitioner to the Caste Scrutiny Committee.

6. Mr. Gaikwad, learned Counsel for State CET Cell, Maharashtra State, Mumbai strongly opposed for granting interim relief to the petitioner and submits that the Hon'ble Apex Court has already held that the protection of such admissions is contrary to the interest of the students at large. He relied on the order passed by the Hon'ble Apex Court in the case of Dilip Vitthal Bambale and ors. Vs. Vinitkumar Motiram Tatlod and ors. In Civil Appeal Nos.11234-48 of 2017 (arising out of SLP (C) Nos.20210-20224 of 2017) and has submitted that as the

validity are not received by the present students it would not be in the interest of other candidates belonging to reserve category to allow these students to occupy reserve seats.

8. In view of the decision of the Full Bench of the Hon'ble Apex Court in the case of **Shreyash Ajay Ghormare Vs. The Scheduled Tribe Certificate Scrutiny Committee in Special Leave to Appeal (C) Nos.17206-17207/2023** wherein it is held as under:

“Having heard learned counsel for the parties and considering the fact that the petitioner had a Scheduled Tribe Certificate as a member of the Mana Scheduled Tribe in the State of Maharashtra, we direct the concerned authorities to admit him provisionally based on his rank, if he is otherwise eligible for the Scheduled Tribe Category without insisting on certificate from the Scheduled Tribe Certificate Scrutiny Committee. He must, however, fulfill other eligibility criteria for such admission.

We are passing this order considering the submission of the petitioner that today is the last day for admission in the course and this order is being passed without prejudice to the rights and contentions of the parties. The petitioner shall not be entitled to claim any equity in the event, the matter is ultimately decided against him.”

9. In view of the restricted relief to issue direction to respondent No.1 to decide the caste claim of the petitioner, the petition needs to be allowed. Hence, the petition is allowed.

10. Respondent No.1 is hereby directed to decide the

tribe claim of the petitioner within a period of three weeks.

11. Respondent No.2 - State Common Entrance Test Cell, Mumbai is directed not to cancel the admission of the petitioner from Scheduled Tribe category till the result of the Caste Scrutiny Committee.

12. The petitioner shall appear before the Caste Scrutiny Committee, Amravati on 09/09/2025.

13. The petition stands disposed of.

14. The learned AGP as well as learned Counsel for the petitioner shall communicate this order to the Caste Scrutiny Committee, Amravati.

15. Copy of this order be furnished to the parties to act upon.

(RAJ DAMODAR WAKODE, J.) (SMT. M.S. JAWALKAR, J.)

**Divya*