



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

WRIT PETITION NO. 5151 OF 2023

Awantika Prakash Sawasakade

-Vs.-

The Scheduled Tribe Certificate Scrutiny Committee & oths.

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr. P.P.Dhok, Adv.for the petitioner.
Mr. J.Y.Ghurde, AGP for the respondents-State.
Mr. N.A.Gaikwad, Adv.for the respondent No.3.

**CORAM : SMT. M. S. JAWALKAR &
RAJ D. WAKODE, JJ.**

DATE : 4TH SEPTEMBER, 2025

CIVIL APPLN. (W) NO. 1934/2025

Leave to add respondent Nos.7 and 8 in the application granted. Amendment to be carried out forthwith. The petitioner to add respondent Nos.7 and 8 as per the petition.

2. The present application is filed for issuance of direction to the respondent No.7 i.e. Institute not to cancel the admission of the petitioner. He belongs to 'Mana' Scheduled Community, which is declared as 'Scheduled Tribe' by the State of Maharashtra in Scheduled Tribes List. He is having certificate issued by Sub-Divisional Officer, Hinganghat dated 24/01/2022. There are old documents on record.

3. The petitioner was directed to submit caste validity

certificate by 04/09/2025, by that time, the matter could not be heard finally. As the petitioner is already secured admission, it would be appropriate to direct the respondents not to cancel her admission in the MBBS Course till the final decision of this petition.

4. The respondent No.3-CET opposed the application.

5. The order of Hon'ble Apex Court, wherein Three Judges Bench decided the matter in **Shreyash Ajay Ghormare v. The Scheduled Tribe Certificate Scrutiny Committee (Petition(s) for Special Leave to Appeal (C) Nos.17206-17207)** dated 09/08/2023 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.”

6. In view of above order of Hon'ble Apex court, we do not see any reason not to grant the relief claimed for. Hence, the application is allowed. The respondent Nos.3, 7 and 8 are directed not to cancel the admission of the

petitioner for the reason of non-submission of the validity certificate till the disposal of the writ petition. The application stands disposed of.

CONTEMPT PETN. NO. 286 OF 2023

7. As interim order passed in her favour, the petitioner do not want to press this contempt petition. Accordingly, the contempt petition stands dismissed.

8. List Writ Petition No. 5151 of 2023 for final hearing on 29/09/2025.

(RAJ D. WAKODE, J)

(SMT.M.S.JAWALKAR, J)