



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

CIVIL APPLICATION (CAW) NO. 2115 OF 2025 IN
WRIT PETITION NO. 5666 OF 2024

Ku. Sanika Uttam Choudhari, Father Guardian Uttam Dhyaneshwar Chaudhari Vs. The
State of Maharashtra, thr. its Chief Secretary & Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. N.D. Jambhule, Advocate for the Petitioner.
Mr. N.R. Patil, AGP for Respondent Nos.1 & 4.
Mr. N.A. Gaikwad, Advocate for Respondent No.2.

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

DATE : 4th SEPTEMBER, 2025.

The petitioner filed this application for grant of permission to amend the petition. The petitioner has been provisionally allotted the seat in first year under Graduate Technical Courses in Engineering and Technology in Scheduled Tribe category in CAP Round-I. He secured a seat in Bansilal Ramnath Agrawal Charitable Trust, Vishwakarma Institute of Technology, Bibewadi, Pune. As per time schedule of MHTCET, confirmation of admission by submitting the required documents, including the validity certificate CAP Round-I, is 4th September, 2025 till 5:00 p.m. In view thereof, the petitioner seeks permission to add the respondents i.e. Institution, SCETC and University. Consequent to there, there is addition of prayer clause.

2. However, after perusal of the cause tile of the petition, it appears that the proposed respondent No.3 is

already there in the petition as respondent No.2. So far as the proposed respondent Nos.2 and 4 is concerned, they can be allowed to be added as party respondents. The present respondent No.3 – MIT Academy of Engineer, wherein the petitioner initially was admitted, is required to be deleted and in place of MIT, the proposed respondent No.2 is required to be added.

3. As such, we allow the application. The petitioner is allowed to add the proposed respondent No.2 as party respondent No.3 and the proposed respondent No.4 as party respondent No.5. Amendment be carried out forthwith.

4. The application is disposed of accordingly.

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5. Heard.

6. Issue notice to the newly added respondents, returnable on 19th September, 2025.

7. The petitioner 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 last date for submission of validity certificate is 4th September, 2025 till 5:00 p.m. The matter is pending for final hearing and it is not possible to conclude today.

8. Mr. Gaikwad, learned counsel appearing for respondent No.2 vehemently opposed the prayer for interim relief.

9. 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.”

10. In view of that, the respondents are directed not to cancel the admission of the petitioner on the count of non-submission of validity certificate.

11. The parties to communicate the order to the respondents with immediate effect.

12. Authenticated copy of the order be supplied to the parties.

(RAJ D. WAKODE, J.)

(SMT. M.S. JAWALKAR, J.)