IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10675 OF 2026

SNEHAL AVINASH SONAWANE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Mr. Mayur Mangesh Subhedar, Advocate for the Petitioner
Mr. N.B. Kamble, AGP for Respondents/State
...

CORAM : NITIN B. SURYAWANSHI AND
ABASAHEB D. SHINDE, JJ.

DATE : 07th OCTOBER, 2026

PER COURT :

1. Though served, none appears for respondent No.3 College.

2. This petition seeks directions to respondent No.3 College to return the original documents of the petitioner submitted by her while securing admission and also refund of her scholarship fees.

3. It is the case of petitioner that she secured admission in respondent No.3 College for degree in Mechanical Engineering for the academic year 2017-2018, against a seat reserved for ST category student. Notice was issued by the College to the petitioner's father informing that, if the petitioner fails to submit her tribe validity certificate, her admission will be considered as against Open category and she will have to pay the entire fees, as is applicable to Open category students.

4. For non possessing of tribe validity certificate, respondent No.3 College refused to accept examination form of the petitioner. Petitioner, therefore, approached this Court. This Court directed the College not to refuse examination form of the petitioner on the ground that caste validity proceeding is pending. Petitioner also filed affidavit with the College to the effect that her tribe claim is pending for adjudication and if the decision goes against her, then she will pay the entire fees. On 04/10/2023 as the tribe claim of the petitioner was not decided, the petitioner was compelled to pay the entire fees.

5. The Scrutiny Committee by the decision dated 17/05/2024 validated the tribe claim of petitioner and declared that the petitioner belongs to Tokre Koli – Scheduled Tribe category. Thereafter, on 07/07/2026 petitioner made representation to respondent No.3 College demanding refund of her entire fees and original documents. However, there is no response from respondent No.3 College.

6. Heard learned advocate for petitioner and learned AGP for the State. Perused the grounds raised in the writ petition and annexures thereto.

7. Because of non appearance of respondent No.3 College, the averments made in the petition have gone uncontroverted and those are required to be taken as admitted.

8. Apart from the above, since the petitioner's tribe claim is validated by the Scrutiny Committee, she is entitled for refund of the fees deposited by her with the College and also the original documents submitted at the time of securing admission.

9. In the light of the above, the writ petition is allowed in terms of prayer clause 'B' and 'C' which reads thus,

> *"B. By issuing a writ of mandamus or any other writ of like nature, R-3 College may kindly be directed to return the original documents of the petitioner submitted by her while securing her admission.*
>
> *C. By issuing a writ of mandamus or any other writ of like nature, the respondents may kindly be directed to refund the scholarship fees of the petitioner (Exh. G), she has paid as if her admission was against a seat for open category, due to pendency of her tribe claim before the Tribe Validity Committee."*

10. Respondent No.3 College shall return the original documents of the petitioner and the fees deposited by her within a period of six weeks from the date of receipt of copy of this order.

(ABASAHEB D. SHINDE, J.) **(NITIN B. SURYAWANSHI, J.)**