

PH. Jayani

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

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

Rushikesh Bharat Garud
V/s.
The State of Maharashtra and Ors.

.... Applicant
.... Respondents

Mr. Ravindra Keshavrao Adsure a/w. Adv. Yash P. Sonavane and
Mr. Vishwabharati V. Devkhile for the Petitioner/Applicant.
Mr. Nitin Gangal, Special Counsel a/w. Adv. Kavita Solunke,
Addl.G.P a/w. Ms. R.A. Salunkhe, AGP and Ms. Prapti Karkera
for Respondent Nos.1 and 2 – State.
Mr. Deepak Sharma a/w. Ms. Roshni Chavan, Ms. Aarti Jain
and Adv. Yukta Sharma for Respondent No.4.

**CORAM: SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.**

DATED: 2nd APRIL, 2026

PC:-

1. The Applicant herein claims to be a member of the Koli Mahadev Scheduled Tribe Community and by claiming his Scheduled Tribe status, the Applicant had taken admission in BAMS Course in the year 2016. However, the caste validity claim of the Applicant was rejected by Scrutiny Committee, as a result of which, the Petitioner had obtained an interim Order from this Court directing the Respondents to permit him to fill up his admission form. The Applicant has in the meantime, completed his

BAMS course in the academic year 2020-21. However, his results have not yet been declared. Hence, this Application seeking interim reliefs.

2. Although, the Applicant has challenged the Order passed by the Caste Scrutiny Committee by filing Writ Petition No.14542 of 2022 which is pending disposal before this Court, yet, in the Interim Application, a prayer has been made to issue a direction to the Respondents to declare his final year result of BAMS examination and also to allow him to join and complete compulsory one year internship program for BAMS course. It has further been prayed that a direction be issued to the Respondents to issue Bharat Garud Internship Completion Certificate, Degree Certificate as well as Passing Certificate.

3. The prayer has been strongly opposed by the learned Counsel for the Respondents by contending that the Caste Validity claim of the Applicant/Writ Petitioner has been declined on the ground that he has indulged in fraudulent activities. Therefore, in view of long line of decision, no interim relief, in the nature of prayer made in the Application, can be granted to the Applicant.

4. After hearing the submissions of both the sides and on going through the materials on record, we are of the view that the core question arising for consideration in this case is as to whether, the Order declining the caste validity certificate to the Petitioner/Applicant is sustainable in law ?. If the answer goes against the Petitioner/Applicant, then there is a strong possibility that the Applicant/Writ Petitioner may not be entitled to any further relief in the matter.

5. In view of the above, we are of the view that instead of considering the prayer in the Interim Application, the Writ Petition itself deserves to be expeditiously heard and disposed of. As such, the connected Writ Petition i.e., Writ Petition No.14542/2022 be listed under the caption 'for final hearing and disposal' on **28th April, 2026 at 03:00 p.m.**

6. The prayers made in the Interim Application are kept open and shall be considered at the stage of final hearing of the Writ Petition, if the same is deemed necessary.

7. With the above observation, the Interim Application No.3528 of 2025 stands disposed of.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)

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