



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

WRIT PETITION NO. 5792 OF 2025

Amey s/o Dilip Sonkusare

-Vs.-

State of Maharashtra and others

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

Mr.Anil Mardikar, Sr.Adv.a/b Mr.N.C.Phadnis, Adv. for the petitioner.
Mr.A.S.Fulzele, Addl.GP for the respondent-State.
Mr.Vishwa Gadbaile, Adv.for the respondent No.3.
Mr.Abhijit Deshpande, Adv.for the respondent No.4.
Mr.V.P.Panpalia, Adv.for the respondent No.5.

**CORAM : SMT. M. S. JAWALKAR &
NANDESH S.DESHPANDE, JJ.**

DATE : 17TH FEBRUARY, 2026

Heard the learned counsel for all the parties.

2. At present, the documents i.e. MBBS degree, mark-list and other documents, etc. are required for the admission of the petitioner to post graduation course.

3. This matter is taken up for final hearing on priority basis for the reason that if the decision is not taken in respect of caste claim of the petitioner, he may deprive from admission to post graduation course as well as he would be debarred for two years for non-production of caste validity certificate.

4. We have heard the learned Senior Counsel for the petitioner as well as learned Additional Government Pleader for the respondents-State. The learned Addl.GP also produced

record and proceedings of the Caste Scrutiny Committee before the Court. We have heard both the parties at length and deem it proper to pronounce operative order so as to enable the petitioner to get the documents of his completion of MBBS course and submit the same for his admission to the post graduation course.

5. As per the State Common Entrance Test Cell Maharashtra, the last date for submission of original documents and requisite fees is 17/02/2026 upto 5.30 pm. The Revised tentative Schedule for CAP Round-3 is taken on record and marked as 'X' for identification. The learned Senior Counsel for the petitioner also placed on record a letter of selection, which shows that the petitioner is admitted in SMBT Institute of Medical Sciences Research Centre, Nashik, Surgery Course. For the reasons recorded separately, we pass the following operative order.

- (i) The writ petition is allowed.
- (ii) The impugned order dated 25/07/2025, passed by the respondent No.2-Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur in Case No.JC/TCSC/NGP/I/31/2018 is hereby quashed and set aside.
- (iii) It is held and declared that the petitioner has duly established that he belongs to 'Halba' Scheduled Tribe and is entitled for all benefits available to Scheduled Tribe candidate.
- (iv) The respondent Nos.3 and 4 are hereby directed to return the original documents i.e. degree certificate and other

documents, which have been submitted by the petitioner as per *Annexure-5* to the petitioner forthwith. If it is not possible for the respondent Nos.3 and 4 to issue degree certificate in original form, they may issue provisional degree certificate with immediate effect.

(v) The respondent No.5 is hereby directed to issue permanent registration number to the petitioner, pursuant to the application dated 29/05/2025. For the time being, the respondent No.5 may issue provisional registration number to the petitioner with immediate effect.

(vi) The respondent No.2-Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur is hereby directed to issue caste validity certificate to the petitioner as he belongs to 'Halba' Scheduled Tribe within a period of two weeks.

(vii) Till the issuance of caste validity certificate, this operative order shall be treated as caste validity certificate, as the petitioner belongs to 'Halba' Scheduled Tribe. The petitioner can be used this operative order wherever he is required to use.

4. Authenticated copy of this order be supplied to all the parties.

(NANDESH S.DESHPANDE, J)

(SMT.M.S.JAWALKAR, J)