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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11965 OF 2026

Vivek s/o Prakash Padalwar

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Chandrakant R. Thorat a/w Mr. Yashraj Joshi, Mr. O.D. Totawad
and Mr. Satyam Kumar for the Petitioner.

Smt. Devyani S. Deshmukh, AGP for the Respondent-State.

Mr. Nikhil Chavan for the Respondent No. 2-CET Cell.

CORAM : R.I. CHAGLA J
FIRDOSH P. POONIWALLA, J

DATE : 8 September 2026

ORDER :

1. This Writ Petition has been moved on grounds of urgency in view of the last date being 7th September 2026 for the Petitioner to submit the Tribe Validity Certificate. Though that date is over today, the learned Counsel appearing for the Petitioner states that the Respondent No. 2 - State CET Cell, has not cancelled the allotment to the Petitioner in Respondent No. 3 – Veermata Jijabai Technological

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Institute (VJTI), Mumbai. He accordingly has sought for benefit of the Order dated 3rd September 2026 passed by this Court in Writ Petition No. 11526 of 2026.

2. This Court, in the said Order dated 3rd September 2026 in Writ Petition No. 11526 of 2026, had considered Government Resolution dated 2nd July 2026, which had granted a period of six months from the date of admission to the candidates belonging to reserved categories, viz. SEBC and OBC, for submission of Caste Validity Certificates by relying upon the decision of this Court (Bench at Nagpur) in *Aditi d/o Ramsing Jadhao Vs. The Vice Chairman/Sec. Scheduled Tribe Caste Certificate Scrutiny Committee, Yavatmal and Anr*¹. In the said decision, this Court had found that no reasons were given in the said Government Resolution as to why such benefit of a six-month period should not be granted to the other categories such as Scheduled Tribes, Scheduled Castes, Vimukta Jatis, and Nomadic Tribes. Thereafter, a subsequent Government Resolution dated 4th September 2026 has also been issued granting a revised time period of three months to categories other than Scheduled Tribes, for submission of their Caste Validity Certificates.

¹ Writ Petition No. 6545 of 2026, Order dated 24th August 2026.

3. Considering that this Court had, by the said order dated 3rd September 2026, found it appropriate and in the interest of students to direct the Respondent - State to take a decision on making the said Government Resolution dated 2nd July 2026 applicable also to Scheduled Tribes and that they have done so by subsequent Government Resolution dated 1st September 2026, other than for Scheduled Tribes, to which the Petitioner claims to belong, by way of this ad-interim order, we direct the Respondent No. 2 to consider the Petitioner's admission to the Civil Engineering Course at the Respondent No. 3 - College and grant provisional admission without insisting upon submission of Tribe Validity Certificate.

4. The learned Counsel for the Petitioner states that the Petitioner has filed an Appeal challenging the impugned Order dated 1st September 2026 passed by the Scheduled Tribe Certificate Verification Committee, Chhatrapati Sambhajnagar.

5. It is pertinent to note that by the amendment to the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste

Certificate Act, 2000, and in particular by addition of Section 10 (5), it is provided that after the Caste Certificate has been cancelled and confiscated by the Scrutiny Committee, the concerned Appointing Authority and such other Authorities shall take action for withdrawal of benefits given to such person within 30 days from the date of order of the Appellate Authority, if an Appeal is filed and is rejected by the Appellate Authority.

6. In the present case, as an Appeal has been filed, and hence the benefits given to such person by the Caste Certificate on its invalidation cannot be withdrawn till thirty days from rejection of the Appeal of the Petitioner by the Appellate Authority.

7. This *ad-interim* order is made subject to the outcome of the Writ Petition, and no equity shall be claimed by the Petitioner by virtue of this *ad-interim* order.

8. The Respondents are permitted to file their Affidavit in Reply to the Writ Petition within a period of three weeks from today, viz. on or before 29th September 2026.

9. The Petitioner is at liberty to file an Affidavit in Rejoinder thereto on or before 5th October 2026.

10. Place the writ petition for further consideration on 6th October 2026.

[FIRDOSH P. POONIWALLA, J.]

[R.I. CHAGLA J.]