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

WRIT PETITION NO.13289 OF 2026

Priyanka Niwas Harpalkar

.. Petitioner

Versus

State of Maharashtra and Ors.

.. Respondents

**Ms.Pooja Thorat a/w Mr.Dhyay Bhavsar a/w Ms.Ayesha Qureshi,
Advocate for the Petitioner.**

Mr.Siddhant H. Deshpande, Advocate for the Respondent No.4.

**Mr.O.A.Chandurkar, Addl.G.P. a/w Mr.Sachin H. Kankal, A.G.P. for
the State.**

**Mr.Rui A. Rodrigues, Advocate for the Respondent No.3/State CET
Cell.**

**CORAM: R. I. CHAGLA &
FIRDOSH P. POONIWALLA, JJ.**

DATE: OCTOBER 7, 2026

P. C.

1. Rule. Rule made returnable forthwith. Heard by consent of the parties.

2. By this Petition, the Petitioner is seeking quashing and setting aside of the impugned email dated 30th September 2026 issued by

Respondent No.3 State CET Cell and impugned letter dated 30th September 2026 issued by Respondent No.4 College unilaterally cancelling the Petitioner's admission to the Postgraduate Dental Course in Prosthodontics in the Respondent No.4 College. The Petitioner claims to belong to Maratha Community from non-creamy layer which is recognized as a Socially and Educationally Backward Class (SEBC).

3. The Petitioner had appeared for the NEET-PG examination in the year 2026 and secured 571/960 marks, with a State Merit Rank of 221. The Petitioner filled in her form for admission to the PG Dental Course under both, All India Quota as well as State Quota. The Petitioner, at the time of filing her application form with the State CET Cell, had filled in her form under the SEBC reservation category. In the First Round of admission under the State Quota, the Petitioner was allotted a seat in Prosthodontics at Respondent No.4 College on 7th September 2026.

4. The Petitioner had, upon being allotted the same on 9th September 2026, approached the Respondent No.4 College for document verification and confirmation of the admission. The Petitioner, through document verification, had submitted her Caste Certificate dated 12th June 2019 as well as Caste Validity Certificate dated 24th June 2019 and the Non-Creamy Layer Certificate dated 30th June 2026 (valid up to 31st March 2029)

to the Respondent No.4 College in respect of SEBC/Maratha community which was duly accepted by the Respondent No.4 College.

5. The Petitioner had also uploaded the details and documents in support of SEBC reservation category on the web portal of the Respondent No.4 State CET Cell as well as Respondent No.4 College. Further, Respondent No.4 College issued Admission Acknowledgment dated 9th September 2026 to the Petitioner.

6. On 29th September 2026, the Petitioner received a telephonic call from Respondent No.4 College informing that she was required to visit the College on the following day, viz. 30th September 2026, for cancellation on the ground that her Caste Certificate and Caste Validity Certificate were allegedly not valid. The Petitioner, through her father, immediately addressed an email dated 29th September 2026 to the Respondent No.4 College, informing them that she had been allotted a seat under the SEBC category and had obtained and submitted all the necessary documents in support of her eligibility.

7. By an email dated 30th September 2026, Respondent No.3 State CET Cell informed the Petitioner that her Caste Certificate and Caste Validity Certificate were allegedly invalid on the ground that the same had been

issued under the Socially and Educationally Backward Classes (SEBC) Act, 2018 (“**the SEBC Act, 2018**”) and not under the Socially and Educationally Backward Classes (SEBC) Act, 2024 (“**the SEBC Act, 2024**”).

8. Respondent No.4 College issued an email dated 30th September 2026 enclosing therewith a letter dated 30th September 2026, whereby the Petitioner’s admission was cancelled on the ground that her Caste Certificate and Caste Validity Certificate had not been issued under the SEBC, Act, 2024. Accordingly, the present Petition has been filed.

9. It is pertinent to note that the Petitioner has now been issued a Caste Certificate on 1st October 2026 certifying that she falls under SEBC class reservation category. The Petitioner has also applied for Caste Validity Certificate under the SEBC Act, 2024 on 5th October 2026.

10. The impugned communication has proceeded on the terms that the Petitioner had submitted the Caste Certificate and Caste Validity Certificate under the SEBC Reservation Act 2018 which is invalid and for which they have placed reliance upon the Judgement of the Supreme Court dated 5th May 2021 which struck down the SEBC Act 2019.

11. Ms.Thorat, the learned counsel for the Petitioner, has placed reliance upon the documents which have been submitted by the Petitioner as well as the acceptance by the State CET Cell of the Petitioner's Application form wherein the category of the Petitioner is mentioned as SEBC. She has submitted that once the Caste Certificate and Caste Validity Certificate have been issued under the SEBC Act 2018, the Petitioner belonging to Maratha community from non-creamy layer, her reservation category does not change merely because of the fact that the SEBC Act, 2018 has been struck down by the Supreme Court and, thereafter, SEBC Act, 2024 has been enacted. She submitted that the Petitioner has, at all times, been diligent in applying for admission and has been allotted Respondent No.4 College under the CAP round I under the SEBC quota.

12. Ms.Thorat further submitted that the Petitioner has also now obtained Caste Certificate on 1st October 2026 under the SEBC Act, 2024 and has applied for Caste Certificate Verification on 5th October 2026 before the District Caste Certificate Scrutiny Committee, District Satara.

13. Ms.Thorat has also referred to the Circular dated 4th September 2026 issued by Respondent No.1 State which provides that, in respect of the reservations, including SEBC reservation category, the time for submission of the Caste Validity Certificate has been extended by a period of six months and

that there will be no cancellation of admission for non submission of Caste Validity Certificate. She has submitted that as per the said Circular, the impugned Communication of Respondent No.2 State CET Cell and Respondent No.4 College are erroneous and accordingly, required to be set aside.

14. Mr.Rui Rodrigues, the learned counsel for Respondent No.3 State CET Cell, has supported the impugned communication issued by Respondent No.2 State CET Cell and has submitted that, in view of the SEBC Act, 2018 having been struck down by the Supreme Court, the Petitioner's Caste Certificate and Caste Validity Certificate issued under that Act stands invalid. Accordingly, the Petitioner was required to apply for Caste Certificate as well as Caste Validity Certificate under the SEBC Act, 2024.

15. In view of the Petitioner not possessing Caste Certificate and Caste Validity Certificate under that Act, her admission has rightly been cancelled.

16. Mr.Deshpande, the learned counsel for Respondent No.4, also makes submissions in line with the submissions made by Mr.Rodrigues, the learned counsel appearing on behalf of Respondent No.2 State CET Cell.

17. Having considered the submissions, it is now clear from the 4th September 2026 Circular issued by Respondent No.1 State that in respect of reservations, which include SEBC reservation, the time for submission of Caste Validity Certificate has been extended by a period of six months. No admission under that reservation category, as provided under the said Circular, can be cancelled for non submission of Caste Validity Certificate.

18. In any event, the Petitioner has been granted Caste Certificate on 1st October 2026 under the SEBC Act, 2024 as falling under the SEBC quota.

19. The Petitioner has also applied for Caste Validity Certificate on 5th October 2026 before the District Caste Certificate Scrutiny Committee, District Satara. Accordingly, the Writ Petition is required to be allowed as the cancellation of the Petitioner's admission in Respondent No.4 College by the impugned communication is erroneous and in violation of the Circular dated 4th September 2026 issued by Respondent No.1 State.

20. Hence, the following Order is passed:

- a. The impugned email and letter communications' dated 30th September 2026 issued by Respondent No.3 State CET Cell and Respondent No.4 College respectively are quashed and set aside.
- b. Respondent No.3 State CET Cell and Respondent No.4 College are directed to confirm the admission of the Petitioner to the Postgraduate Dental Course in Prosthodontics in the Respondent No.4 College.
- c. Respondent No.1 State shall inform the District Caste Certificate Scrutiny Committee, District Satara of this Order and they shall comply with the Circular dated 4th September 2026 issued by Respondent No.1 State in that the Application of the Petitioner for Caste Certificate verification made on 5th October 2026 be disposed of within a period of six months in terms of the said Circular.
- d. The Writ Petition is accordingly disposed of in the aforesaid terms.
- e. There shall be no order as to costs.

f. Parties to act on an authenticated copy of this Order.

[FIRDOSH P. POONIWALLA, J.]

[R. I. CHAGLA, J.]