

Kavita S.J.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.13254 OF 2026

Bhimashankar Lingoji Jawadawad

...Petitioner

Versus

The State of Maharashtra & Ors.,

...Respondents

Mr. Sahil Chaudhari for the Petitioner.

Mr. S.B. Kalel, AGP for Respondent No.1 – State.

Mr. Rui Rodrigues for Respondent No.2 – State CET Cell.

Mr. Shailendra Kanetkar a/w Mr. Pranay Kothari for Respondent
No.3 – ILS Law College.

CORAM : R.I. CHAGLA AND
FIRDOSH P. POONIWALLA, JJ.

DATE : 6th OCTOBER, 2026.

ORDER :

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

2. By this Petition, the Petitioner is seeking a direction to
Respondent No.2 - State CET Cell, to permit the Petitioner to secure
provisional admission to First Year LL.B. (3 Years) Course at ILS Law
College, Pune, against the seat allotted to the Petitioner under

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Scheduled Tribe (ST) Category, without insisting upon production of Tribe Validity Certificate at this stage, subject to the Petitioner being otherwise eligible for admission and subject to the final outcome of his pending Tribe Claim before the Scrutiny Committee.

3. The Petitioner had been issued Tribe Certificate dated 23rd October 2024 as belonging to Mannervarlu Scheduled Tribe (ST).

4. The Petitioner had accordingly submitted proposal before the Scrutiny Committee, Kinwat on 29th November 2024 for verification and validation of his Tribe Claim.

5. The Petitioner appeared for LL.B. 3 Years CET 2026 and qualified securing 22.55 percentile. His category has been recorded as ST in the Application Form.

6. Respondent No.2 - State CET Cell in the notice of documents required for Online CAP Application Form for LL.B. 3 Years 2026 required a candidate of SC/ST category who did not possess Caste/Tribe Validity Certificate to upload the receipt of the Application for validity and submit the Certificate before the last date

of confirmation of admission of the second round.

7. A Government Resolution (GR) dated 2nd July 2026 was issued by Respondent No.1 - State extending the time for submission of Caste Validity Certificate by a period of six months, the benefit being extended to OBC and SEBC categories and not to other categories.

8. Respondent No.1 - State issued another Circular dated 4th September 2026 granting extension of time of three months for submission of Caste Validity Certificates to the reserved categories other than Scheduled Tribe (ST) category. Respondent No.2 - State CET Cell has issued a Public Notice bearing same date giving effect to the Circular.

9. The Petitioner was allotted a Seat under the ST category in the second Merit List of the institutional level round for admission to the 3 Year LL.B. Course for the Academic Year 2026–2027 at ILS Law College, Pune.

10. The Petitioner by his E-mail dated 4th October 2026, requested the ILS Law College for time to receive directions from

Maharashtra State CET Cell regarding submission of Tribe Validity Certificate. This is in response to an E-mail dated 3rd October 2026 issued by ILS Law College to the Petitioner that as per Respondent No.2 - State CET Cell's instructions for ST category candidates, Tribe Validity Certificate is compulsory and is required at the time of admission.

11. In view of the Petitioner having obtained allotment in the institutional level round to the said Course for Academic Year 2026–2027 and being unable to submit the Tribe Validity Certificate in view of the Tribe Validity Claim of the Petitioner not having been decided till date, the present Writ Petition has been filed.

12. Mr. Sahil Chaudhari, learned counsel appearing for the Petitioner has submitted that this Court has taken a consistent view, including in Writ Petition No. 12108 of 2026, vide order dated 10th September 2026 that where a Tribe Validity Claim has been pending before the Scrutiny Committee for a substantial period of time, the State CET Cell is required to be directed to consider the ST Candidate without insisting upon the Tribe Validity Certificate. This is by relying upon GR's dated 2nd July 2026 and 4th September 2026

which though applying to candidates belonging to other Reserved Categories have not extended the benefit to ST Category without assigning any reasons for the same.

13. Mr. Chaudhari has submitted that the ILS Law College is having a Seat which is vacant and the Petitioner having been allotted the said Seat, the admission of the Petitioner should be confirmed in the said College for the First Year LL.B. (3 Years) Course without insisting upon production of Tribe Validity Certificate. He has undertaken to take out appropriate proceedings before the Aurangabad Bench of this Court having jurisdiction over the Tribe Certificate Scrutiny Committee, Kinwat, in order to seek directions for deciding the Tribe Validity Claim of the Petitioner.

14. Mr. Rodrigues, learned Counsel appearing for the Respondent No.2 - State CET Cell has submitted that every Candidate must upload and submit the mandatory documents, including the Tribe Validity Certificate before the last date of CAP Round 3. This is as per the Brochure which has been published by the State CET Cell. The Schedule mentioned in the Brochure dated 21st August 2026, published by the State CET Cell on its official portal, provides the last

date to upload and submit the Tribe Validity Certificate as 24th September 2026. In order to safeguard the admission of the Candidate, the State CET Cell on 26th September 2026 published notice on its official portal and gave time to every candidate of ST category to submit Tribe Validity Certificate upto 28th September 2026. The Candidate who has not uploaded/submitted the requisite Tribe Validity Certificate document, his category has been converted to Open, if found eligible for the said category.

15. Mr. Rodrigues has submitted that all CAP Rounds viz. CAP Round 1, 2, and 3 have already concluded and institutional level round commenced from 26th September 2026 and was upto 28th September 2026. It was the responsibility of the Petitioner to fill in the Form in Open Category till 28th September 2026.

16. Mr. Rodrigues has submitted that the Seat remaining vacant after completion of CAP Round 3 is to be filled in by the said College through institutional level round. Further, any seat under ST Category which is vacant or not is to be informed only by the concerned College.

17. Mr. Rodrigues has submitted that as per his instructions,

the Petitioner's admission is cancelled and the Petitioner can convert his Category from ST to Open for institutional level round, if he so desires.

18. The Writ Petition had come up before this Court on 5th October 2026, when this Court had taken note of the urgency for which the Petition had been moved viz. the CAP Round Schedule for LL.B. 3 Years Course for the Academic Year 2026-2027 provided that the cut-off date for the institutional level round is 7th October 2026. It was further observed that the concerned College, viz. ILS Law College, to which the Petitioner had been allotted in the institutional level round, has not been joined as party Respondent. The Petitioner was accordingly directed to carry out amendment in Cause Title of the Petition by joining ILS Law College.

19. The Petition has accordingly been amended and Mr. Kanetkar appears for Respondent No.3 - ILS Law College. He states on instructions that in respect of the allotment of the Petitioner to ILS Law College, the seat is still available.

20. We have considered the submissions. The Petitioner has applied for Tribe Validity Certificate way back on 29th November

2024. However, the Scheduled Tribes Certificate Scrutiny Committee, Kinwat has till date not decided the said Application. An Undertaking has been given by Mr. Chaudhari for the Petitioner that the Petitioner will take out appropriate proceedings before the Aurangabad Bench of this Court, which has jurisdiction over the Scrutiny Committee, for deciding the claim of the Petitioner in a time-bound manner.

21. A consistent view has been taken by this Court, as can be seen from the decision relied upon by the Petitioner viz. Order dated 10th September 2026 in Writ Petition No. 12108 of 2026, which directed the State CET Cell to consider the Candidate as ST Candidate without insisting upon the Tribe Validity Certificate where the Tribe Claim has been pending before the Scrutiny Committee for a considerable period of time. This was in view of the GRs dated 2nd July 2026 and 4th September 2026, extending the benefit to the reserved Candidates and not extending the benefit to ST Candidate without assigning any reasons for the same.

22. We accordingly consider it appropriate to pass the following order:

(i) In view of the Seat still being available in the ILS Law College and the Petitioner having been allotted ILS Law College in the institutional level round, we direct the Respondent No. 2 - State CET Cell, to permit the Petitioner to secure provisional admission to the First Year LL.B. (3 years) Course at ILS Law College, Pune, against the seat allotted to him under ST category, without insisting upon production of Tribe Validity Certificate. This shall be subject to the outcome of the Petitioner's claim for Tribe Validity Certificate before the Scrutiny Committee.

(ii) Further, the Petitioner shall, as undertaken to this Court, file a Petition before the Aurangabad Bench seeking directions for deciding the Tribe Validity Claim of the Petitioner pending before the Scrutiny Committee, over which the Aurangabad Bench has jurisdiction.

(iii) The Writ Petition is disposed of in these terms. There shall be no order as to costs.

[FIRDOSH P. POONIWALLA, J.]

[R.I. CHAGLA, J.]