

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL No.3089/2026
[Arising out of SLP (CIVIL) No. 21291/2023]**

VIVEKKUMAR

APPELLANT

VERSUS

THE STATE OF MAHARASHTRA & ORS.

RESPONDENTS

WITH

**CIVIL APPEAL No.3090/2026
[Arising out of SLP (CIVIL) Nos.23630/2024]**

SACHIN

APPELLANT

VERSUS

THE STATE OF MAHARASHTRA & ORS.

RESPONDENTS

ORDER

1. Leave granted.
2. Both the appellants secured admission in medical courses on reserved seats on the basis of tribe certificates, which were subsequently found invalid and hence, cancelled.
3. However, it is undisputed that the appellants upon pursuing the respective medical courses have not only completed the same but have even

been successful in clearing all the examinations which would otherwise entitle them to have the degrees/certificates issued by the Maharashtra University of Health Science, Nashik, Maharashtra¹.

4. The orders impugned in these appeals dismissing the appellants' writ petitions, wherein orders of invalidation of the tribe certificates passed by the Scrutiny Committee were under challenge, now impede issuance of such degrees/certificates.

5. Mr. Karande, learned counsel appearing for the appellants, fervently submits that since they have succeeded in the examinations by dint of their merit, they may be allowed to reap the benefits of their hard labour and direction be issued to the University to issue the degrees/certificates on their specific undertaking, which may be recorded, that they shall not claim any future benefit of reservation.

6. Such submission has been vehemently opposed by Mr. Deshpande, learned counsel appearing for the University and Ms. Bobde, learned counsel for the State. In unison, they submit that admission of the appellants in the medical courses being *void ab initio*, no benefit ought to be allowed to be reaped.

7. That the appellants secured admission based on tribe certificates, which have since been cancelled, is not in doubt. Nonetheless, sight cannot be lost that their tribe certificates were invalidated after they had graduated. Bearing in mind the fact that the appellants have completed their curriculum for the medical courses and ultimately succeeded in the examinations written by them, we are of the considered opinion that refusing even partial relief to them

¹ University

would not be in the best interests of society. After all, if indeed partial relief is refused, not only would the two seats occupied by the appellants go waste, their efforts in succeeding in the examinations would also be of little use for society. It is nobody's case that the appellants succeeded in the examinations other than on merits. As it is, the country lacks enough qualified doctors. Granting partial relief to the appellants by directing the University to issue them the degrees/certificates thereby entitling them to join the medical profession, on facts and circumstances, would not compromise merit; rather, it would enable qualified doctors to serve the public. The service that these appellants could render to the society in the long run would outweigh the consequences stemming from the flaws in the admission process, which have subsequently come to the fore. A pragmatic view is what requires to be adopted. However, any undertaking given by the appellants not to claim reservation benefits in future would certainly not suffice. We are of the considered opinion that the appellants cannot be allowed to go scot-free so easily. It can hardly be ignored that in the process of admission based on certificates subsequently found invalid, the appellants had deprived eligible candidates who could have secured admission in their place on the basis of their genuine tribe claim; hence the appellants have to pay some price.

8. In such view of the matter, we dispose of the appeals with the observation/direction as follows: -

- (i) Appellants, Vivek and Sachin, shall be liable to deposit Rs.10,00,000/- each with the Vice-Chancellor of the University within a period of three months from date.
- (ii) Should deposit as aforesaid be made and within 24 hours

thereof, the University shall proceed to issue the degrees/certificates to the appellants and make it over to them.

(iii) Upon receiving the degrees/certificates, the appellants shall be entitled to avail the benefits thereof by enrolling themselves with the appropriate medical council.

(iv) The University shall be under obligation to identify the candidates who were deprived of admission in the medical courses by reason of grant of admission to the appellants on seats which should have, in the ordinary run of events, been theirs (the deprived candidates).

(v) Upon such identification, the Vice-Chancellor of the University shall take steps for releasing the amounts in favour of the deprived candidates in terms of this order.

(vi) In the event, the sums of Rs.10,00,000/- are not deposited by the appellants within three months, the Vice-Chancellor of the University shall inform the Registry whereupon these appeals be placed before us for appropriate orders, which could include but not limited to revocation of the direction contained in paragraph 8(ii) of this order.

(vii) Once the sums of Rs.10,00,000/- are released in favour of the deprived candidates, the Vice-Chancellor may inform the same to the Secretary, Medical Education and Drugs Department, Government of Maharashtra.

(viii) Undertaking of the appellants that they will abstain from claiming any future benefit based on their tribe claim, since

invalidated, is recorded.

9. The orders impugned stand modified accordingly, without interfering with upholding of invalidation of the tribe certificates by the High Court.

10. The appeals stand disposed of on the aforesaid terms.

11. This order requiring the University to issue the degrees/certificates has been passed in the exercise of power conferred on this Court by Article 142 of the Constitution and hence, shall not be treated as a precedent.

12. Pending application(s), if any, shall stand disposed of.

.....J.
[DIPANKAR DATTA]

.....J.
[RAJESH BINDAL]

**NEW DELHI;
FEBRUARY 25, 2026.**

VERDICTUM.IN

ITEM NO.302

COURT NO.8

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.21291/2023

[Arising out of impugned final judgment and order dated 26-06-2023 in WP No.591/2021 passed by the High Court of Judicature at Bombay at Aurangabad]

VIVEKKUMAR

Petitioner

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondents

I.A. No.195054/2023-EXEMPTION FROM FILING O.T.

I.A. No.3249/2024-EXEMPTION FROM FILING O.T.

I.A. No.3232/2024-EXEMPTION FROM FILING O.T.

I.A. No.3231/2024-INTERVENTION/IMPLEADMENT

I.A. No.266292/2024-PERMISSION TO FILE APPLICATION FOR DIRECTION

WITH

SLP(C) No.23630/2024 (IX)

I.A. No.289316/2024-EXEMPTION FROM FILING O.T.

I.A. No.25815/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

I.A. No.6513/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

I.A. No.232993/2024-PERMISSION TO FILE APPLICATION FOR DIRECTION

Date : 25-02-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) :Mr. Amol B. Karande, AOR
Mr. Ashutosh Srivastava, Adv.
Ms. Akshada, Adv.
Mr. B Lakshmi Pallesh, Adv.

For Respondent(s) :Ms. Rukhmini Bobde, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.
Mr. Vinayak Aren, Adv.
Mr. Jatin Dhamija, Adv.
Ms. Aiswharya Nigam, Adv.

**M/S. Black & White Solicitors, AOR
Mr. Suhaskumar Kadam, Adv.**

**Mr. Shirish K. Deshpande, AOR
Ms. Rucha Pravin Mandlik, Adv.
Mr. Viraj Parakh, Adv.
Mr. Raghav Arora, Adv.**

**Mr. Sarad Kumar Singhania, AOR
Ms. Rashmi Singhania, Adv.**

**UPON hearing the counsel the Court made the following
O R D E R**

1. Leave granted.
2. The appeals stand disposed of in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

**(RASHMI DHYANI PANT)
ASTT. REGISTRAR-cum-PS**

(signed order is placed on the file)

**(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)**