

ITEM NO.1

COURT NO.2

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).599/2025

APURVA DYANESHWAR MHATRE

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

Date : 06-10-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Petitioner-in-person

For Respondent(s) :

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

1. We have heard petitioner-in-person at a considerable length.
2. The admitted facts are that the petitioner got admission in MBBS Course in Somaiyya Medical College, Mumbai in the academic year 2012-2013 under the OBC category. However, the OBC certificate obtained by her father in 2014 was found to be invalid as he had obtained the non-creamy layer certificate suppressing his employment details under BPCL. Consequently, the admission was cancelled.
3. Aggrieved, the petitioner filed a writ petition challenging the cancellation of her admission, which was dismissed by the High Court on 03.10.2016. Her review petition was also dismissed. Thereafter, she approached this Court in SLP(C) No.36134/2016, which was dismissed by a Co-ordinate Bench on 09.12.2016.

4. After some time, the petitioner again took a chance and filed Writ Petition (Lodgn.) No.3828/2018, but that too was dismissed by the High Court on 21.11.2018. Almost after five years, the petitioner made a third attempt by filing Writ Petition No.1607/2023 in the High Court, which was also dismissed on 26.06.2023.

4. After these three unsuccessful rounds of litigation, the petitioner has now filed a writ petition before this Court seeking a direction to the Director of Medical Education, St. George Hospital, Mumbai and Maharashtra University of Health Sciences to allow her to appear in the final year MBBS examination.

5. As the facts would speak for themselves, we are clear in our mind that the instant writ petition is not maintainable. The three rounds of litigation, in which the petitioner could not get any relief, have already attained finality. Those orders cannot be reopened, especially when the special leave petition was dismissed by this Court almost nine years back, i.e., on 28.11.2016.

6. We are, therefore, not inclined to entertain this writ petition. However, the petitioner is granted liberty to approach the Authorities for a sympathetic consideration of her claim on humanitarian grounds, which may be subject to the condition that she is willing to pay fee for a seat allocated to the Management Quota.

7. In view of the fact that the writ petition is not maintainable, we decline to issue any direction to the Authorities to consider the representation. However, it is clarified that if the Authorities, in the peculiar facts and circumstances of the

case, are inclined to take a sympathetic view, the previous orders passed by the High Court or this Court will not cause any impediment to the same.

8. With liberty as aforementioned, the writ petition is disposed of.

9. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR