

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.891 of 2015

Jeevan Nivruttirao Karde

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.A.P. Bhandari advocate for the petitioner

Mrs. A.V. Gondhalekar, AGP for Respondent State

Mr. M.S. Deshmukh h/f Mr. H.V. Patil, advocate for respondent No.6

CORAM : R.M. BORDE &
A. I. S. CHEEMA, JJ.

Dated : 8th DECEMBER, 2015.

PER COURT :-

1 The petitioner is seeking directions against the committee, for taking action against the respondent No.6, within contemplation of Section 11(1)(a) of The Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jati), Nomadic Tribes, Other Backward Classes & Special Backward Category (Regulation of Issuance & Verification of) Caste Certificate Act, 2000, in respect of the caste certificate secured by respondent No.6, certifying that he belongs to Chappar Band caste, which is included in Vimukta Jati category.

2 It does appear that, the concerned respondent, has thereafter, secured a caste certificate, where under, it has been

certified that, he belongs to Mistri caste, which is included in Other Backward (OBC) class category. Matter in respect of verification of the caste status of respondent No.6, as belonging to Mistri caste, is stated to be pending with the committee. The petitioner contends that, respondent No.6 has committed fraud in securing certificate, as belonging to Chhappar Band, on earlier occasion, which was later-on surrendered.

3 Since the matter is pending with the committee in respect of verification of the caste status of respondent No.6, it would be open for the petitioner to tender an appropriate application to the scrutiny committee, raising his grievances and contentions. It would be open for the committee to consider the request made by the petitioner and after extending opportunity of hearing to the concerned, take steps, as permissible, within the frame work of the Act of 2000.

4 With the directions as above, writ petition is disposed of.

(A. I. S. CHEEMA, J.)

(R. M. BORDE, J.)