

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7310 OF 2014

Sharad Kondiba Shedale

Petitioner

V E R S U S

1. The State of Maharashtra
2. The deputy Collector @ Special Land Acquisition Officer No.1, Ahmadnagar
3. The Caste Scrutiny Committee for S.C., N.T., V.J.N.T., O.B.C. And Special O.B.C., Committee No.1, Nashik Divisions, Nashik
4. Anil Kisanrao Shedale

Respondents

Mr. M.S. Kulkarni, Advocate for the petitioner
Mr. D.V. Tele, AGP for respondent nos.1 to 3/State
Mr. R.M. Temkar, Advocate for respondent no.4

**CORAM : A. V. NIRGUDE &
A. M. BADAR, JJ.
DATE : 15TH JUNE, 2015**

PER COURT :

1. The petitioner challenges Caste Validity Certificate issued to respondent no.4 on the ground that the Vigilance Cell Report is not quite truthful. The issue is entangled with School Leaving Certificate of one Bhima, who happened to be respondent no.4's grand-father, who left primary school in 1937. In his School Leaving Certificate, his caste is mentioned as Hindu-Kunbi. The Vigilance Cell stated in the report that they recorded statement of school authority and

found the entry in school register to be genuine. The petitioner re-examined the school record. In this entry, Bhima's caste was shown as Maratha [Kunbi]. Word Kunbi is apparently added. It is petitioner's case that either the vigilance report is grossly incorrect or the addition is fraudulently entered subsequently.

We are not inclined to go into this question. We have seen the photostat copy of original register and we also saw the additional word 'Kunbi' in front of word 'Maratha'. This addition could have been made any time prior to 2009. The petitioner is unable to show and we are afraid, no one will be able to say at this stage as to when such addition was made in this original entry. The original entry could have been made genuinely long back.

2. Learned counsel for the petitioner argued that this addition is not authenticated [counter signed] and so the addition should be held to be invalid. We are unable to accept this contention. There is possibility that when the addition was made, counter signature was not made inadvertently. There is nothing on record to show that this addition was fraudulently made by respondent no.4 or his representative. The petitioner's submission is based on guess. No matter how suspicious is the entry, we are unable to go into the genuineness of the same.

The petition does not give rise to any question that would prevail upon us to admit this petition. The petition stands dismissed.

(**A.M. BADAR, J.**)

(**A.V. NIRGUDE, J.**)

SRM/15/6/15