

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7951 OF 2012

Rohit Vasant Telang

Petitioner

Versus

The District Collector, Nanded and others

Respondents

Mrs. Sanghmitra Wadmare advocate for the petitioner
Mr.S.G. Karlekar, AGP for Respondents

CORAM : R.M. BORDE &
P.R. BORA, JJ

Date: October 01, 2015

PER COURT :-

1 The petitioner is praying for quashment of the order passed by the scrutiny committee, directing invalidation of the caste certificate, issued in his favour. Petitioner claims to belong to Kalal caste which is included in Other backward Class (OBC) category.

2 In order to substantiate his claim, apart from the school record which is of the latest origin, the petitioner is placing reliance on the validation certificate issued in favour of one Kapil Manohar, whom petitioner claims as his blood relation i.e. cousin. In order to substantiate contention of the petitioner and to verify the genealogy given by the petitioner in the writ petition as well

as in the original record produced before the scrutiny committee, we called upon the respondents to produce the original record in respect of validation of the caste certificate of Kapil Manohar. An affidavit of the father of the validity holder explaining genealogy of the family is filed on record. In the genealogy, he has described only one brother Shivraj whereas there is no reference to other brothers including the father of the petitioner Viz. Vasant Keshavraon Telang. In the affidavit presented by the father of the petitioner on record, he claims that deceased Keshav has six sons, whereas his contention finds contradicted on perusal of the record, in respect of validation claim of Kapil Manohar TenIng. Apart from this, petitioner has placed reliance on the copy of a ration card issued in the name of his father Vasant. In the ration card, we find the name of Subhash Keshavrao Telang. Neither the genealogy presented by the father of the petitioner nor the affidavit filed on record of verification of Kapil, by his father Manohar, refers to name Subhash, being the brother of the father of the petitioner or son of the deceased Keshav. Apart from this, the validity holder Kapil Maonohar claims to be domicile of Nanded district, whereas, the petitioner claims that his family originally hails from Ahemadpur, District: Latur.

3 Priam facie, it does appear that, the family of the petitioner is a different than the family of the validity holder Viz. Kapil Manohar Telang. Except the school record of the petitioner which is of recent origin, there is no old document forthcoming, for substantiating the claim of the petitioner as belonging to Kalal caste, which is included in OBC category. We do not find any error committed by the scrutiny committee in directing invalidation of the caste certificate.

4 The petition is devoid of substance and hence stands dismissed.

(P.R. BORA, J.)

(R. M. BORDE, J.)