

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 11239 OF 2014

Sangita s/o. Karnasing Patil (Rajput) .. Petitioner

Versus

Divisional Scheduled Caste V.J., O.B.C... Respondents
& Special Backward Caste Certificate
Verification Committee-2, Dhule.

Mr. R.R. Mantri, Advocate for the petitioner.

Mr. D.V. Tele, A.G.P. for respondent/State.

Mr. M.S. Sonwane, Advocate for respondent No.2.

**CORAM : A.V. NIRGUDE &
A.M. BADAR, JJ.**

DATED : 23.06.2015

P.C. :-

1. Heard. This petition challenges judgment and order dated 29.10.2014 passed by the Divisional Caste Scrutiny Committee No.2, Dhule, declaring that the petitioner could not prove her claim that she belongs to Scheduled Tribe, by name, Rajput Bhamta. We perused impugned judgment and found that the petitioner was given ample opportunity to prove her case. She produced number of documents before the Committee but the Committee did not find any document in which the petitioner or her father or grand-father was mentioned as belonging to

Scheduled Tribe, by name, Rajput Bhamta. All old documents mentioned the caste of the petitioner or her relatives as Hindu Rajput. The Vigilance Cell examined the case of the petitioner and submitted its report. The Committee also perused the report submitted by the Vigilance Cell. The Committee held that the material placed on record would not prove the petitioner's case. The petitioner also placed reliance on caste validity certificate issued to the petitioner's second cousin Mansing. The Committee, however, rejected this piece of evidence on the ground that the petitioner could not prove that Mansing was related to her. We are not inclined to admit this petition.

2. Learned Counsel for the petitioner placed reliance on following judgments:-

- i Mahesh Pralhadrao Lad Vs. The State of Maharashtra
W.P. No.6636/2008 decided on 06.07.2011
Bombay High Court, Aurangabad Bench.
- ii Mahesh Pralhadrao Lad Vs State of Maharashtra &
Ors.2009 (Supp.) Bom.C.R. 898
- iii Charansing s/o. Pratapsing Patil Vs. State of
Maharashtra, W.P.No.7790/2005 decided on 05.10.2007
Bombay High Court, Aurangabad Bench.
- iv Apoorva Vinay Nichale Vs. Divisional Caste
Certificate Scrutiny Committee No.1 & ors.
2011(2) Bom.C.R.824

3. Even after careful perusal of these judgments, it would not change fate of the petitioner's case. The writ petition stands dismissed.

4. The request of continuation of earlier order for allowing the petitioner breathing time is also rejected.

5. The petitioner is at liberty to make a mercy plea with her employer for continuation of her employment.

[A.M. BADAR,J.]

[A.V. NIRGUDE,J.]