

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.11322 OF 2014
WITH
WRIT PETITION NO.11324 OF 2014.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.C.K.Shinde, advocate for the Petitioners.
Mr.K.J.Ghute Patil, Asstt. Govt.Pleader for the State.

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.
Date : 07.01.2015.**

PER COURT :

1. Heard.
2. Rule.
3. Mr.Ghute Patil, learned Asstt. Govt. Pleader waives notice of Rule.
4. Rule returnable forthwith. With the consent of the parties taken up for final hearing.
5. Mr.Shinde, learned counsel submits that the Respondent Committee did not accept the proposal filed by the petitioners seeking validity in respect of their caste claim as the same was submitted in individual capacity and was not routed through any office. According to the learned counsel, the Committee can not

refuse to accept the said proposal even if submitted by the petitioners individually. Learned counsel relies on the judgment of the Division Bench of this Court dated 30.1.2013 in W.P.No.7818/2012, so also provisions of Section 6 of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000.

6. Learned Asstt. Govt. Pleader states that though the petitioners can submit the proposal independently and as per Section 6 of the Act, the Committee has to consider the same on its own merits, however, the proposal is to be complete in all respects.

7. Considering the above, we dispose of the Writ Petition by directing the petitioner to submit the proposal seeking validity in respect of his caste claim complete in all respects to the Committee. The Committee on receipt of the said proposals for determining the validity in respect of caste claim of the petitioner complete in all respect shall decide the same on its own merits as per the procedure and after hearing the petitioners.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..07.01.2015.
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