

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.182 OF 2015

Vijay s/o Sukhalal Rajput

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.J.J.Patil, advocate for the petitioner
Mr.S.G.Karlekar, A.G.P. for Respondents.

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

DATE : 29th September, 2015

PER COURT:

1 The petitioner is objecting to the order dated 12.08.2013, passed by the Scrutiny Committee, directing invalidation of his caste certificate.

2 Petitioner claims to belong to 'Rajput Bhamta', which is categorised as Vimukta Jatis (VJ). The certificate issued in favour of the petitioner was produced before the Scrutiny Committee for verification. After recording evidence of the petitioner and on consideration of report of vigilance cell, the Scrutiny Committee has directed invalidation of caste certificate of the petitioner.

3 The petitioner, in order to substantiate his case, has placed reliance on the caste certificate issued in favour of Sarang Vijaysing Patil. The said validity certificate holder has also presented an affidavit stating on oath that petitioner is his third

degree cousin.

4 The Scrutiny committee did not accept the contentions raised by petitioner based upon affidavit tendered by Sarang Vijaysing Patil since the petitioner has failed to produce independent evidence for establishing his blood relationship with said Sarang Vijaysing Patil, validity certificate holder.

5 In order to verify the contentions raised by petitioner, we directed the Scrutiny Committee to place on record original file in respect of claim for verification of caste certificate of said Sarang Vijaysing Patil. On perusal of the file, it is noticed that an affidavit has been presented by one Balkrishna Suresh Patil as well as Vijaysing Ukhardu Patil, recording therein family tree / genealogy. In the genealogy drawn by father of the validity holder i.e. Vijaysing Ukhardu Patil, it has been recorded that one Kisanraysing has two sons i.e. Ukhardu and Dagadu. The grandson of Ukhardu i.e. son of Vijaysing is validity holder Sarang. So far as great grand father of Balkrishna Suresh Patil is concerned, his name does not find place in the genealogy drawn by Vijaysing Ukardu Patil and placed on record in the matter concerning issuance of validity certificate in favour of Sarang. It does appear that the petitioner, in order to secure wrongful benefit, has recorded incorrect genealogy showing his blood relationship with Sarang, who is validity certificate holder. It does appear that said validity certificate holder Sarang has placed on record, in the instant petition, an affidavit certifying that he is a blood relation of Vijay Sukalal Rajput - petitioner.

6 It would be open for Respondent-Scrutiny Committee

or the State authorities to take appropriate steps against Sarang Vijaysing Patil for producing incorrect/wrong genealogy in order to extend undue benefit to the petitioner i.e. Vijay Sukalal Patil. Since the petitioner has placed reliance on the false record in respect of genealogy in order to demonstrate his blood relationship with Sarang Vijaysing Patil - validity certificate holder, according to us, petitioner is not entitled to claim any relief in equity jurisdiction. Writ Petition is devoid of substance.

7

Writ Petition stands dismissed.

P.R.BORA
JUDGE

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R.M.BORDE
JUDGE