

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1102 OF 2014

Hameeda mohammed Husain
(Hameeds w/o. Mossa Khan)

.. Petitioner

V/s.

The Caste Scrutiny Committee,
Nashik Region & Ors.

.. Respondents

.....
Mr. Bharat Gadhavi i/b. Tejas Dande & Associates, Advocate for
the Petitioner.

Mr. P. P. Kakade, AGP for Respondent Nos.1 and 3.

Mr. N. R. Bubna, Advocate for Respondent No.2.

.....

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : DECEMBER 7, 2015.

P.C.

Heard.

2 The petitioner challenges the interim order passed by
the respondent - Caste Scrutiny Committee, Nashik dated 3rd
January, 2014. The petitioner is elected member of Municipal
Council. In the earlier round, the Caste Scrutiny Committee had
issued Caste Validity Certificate to the petitioner. The same was

subject matter in Writ Petition No.7356 of 2012 filed by Shehnaz Tanveer Usmani.

3 By an order dated 8th August, 2013, the Division Bench of this Court (Coram : Shri V. M. Kanade and Shri K. R. Shriram, JJ.) set aside the said order and remanded the matter back to the Caste Scrutiny Committee. The Caste Scrutiny Committee was directed to consider the matter on merits and in accordance with law. The remand was mainly on the ground that the Caste Scrutiny Committee had failed to assign reasons while issuing validity certificate.

4 The learned counsel appearing for the petitioner submits that he filed an application to examine five persons orally before the Caste Scrutiny Committee. The Caste Scrutiny Committee had partly allowed the said application dated 2nd January, 2014. We have perused the said order.

5 The petitioner is entitled to submit affidavits of private persons, his witnesses in support of his caste claim. The Caste Scrutiny Committee after going through the said affidavits, is entitled, if necessary, to summon any of such persons to appear

before the committee for making a oral statement. The entire evidence placed on record by the petitioner shall be taken into consideration and appropriate reasoned order be passed by the Caste Scrutiny Committee.

6 We direct the Caste Scrutiny Committee to pass appropriate orders within three months from today. With these directions, the petition is disposed of.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)