

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

WRIT PETITION NO. 598 OF 2013

Gulfam Anwar Khan	...	Petitioner
V/s.		
State of Maharashtra & ors.	...	Respondents

Mr. C.K. Bhangoji for the petitioners.

Mr. Vikas Mali, AGP for respondents 1 to 3.

Mr. Vinay M. Bhate for respondent no.4.

**CORAM : NARESH H. PATIL AND
V.L. ACHLIYA, JJ.**

23rd March, 2015.

P.C.

Heard learned Counsel for the parties.

2. The petitioner is an elected Corporator of Pune Municipal Corporation from seat reserved for OBC. Admittedly, Election Petition No. 128/2012 filed by one Mr. Abdul Kayyum Tamboli is pending with Small Causes Court, Mumbai. It is submitted that one of the issue in the said proceedings relates to the validity of the caste certificate of the petitioner.

3. Mr. Abdul Kayyum Tamboli had filed a Writ Petition No. 2317/2012 challenging the caste certificate of the respondent no.3. The said petition alongwith batch of petitions were allowed cancelling the certificate granted in favour of respondent no.3. The petitioner alongwith many other similarly situated persons approached Apex Court, according to learned Counsel appearing for respondent no.3. Leave was granted in Special Leave Petition (Civil) 19487/12 and respondent no.3 was protected by an interim order.

4. The learned Counsel appearing for respondent no.3 submits that in view of this development, the present petition need not be entertained.

5. The learned Counsel appearing for petitioner submits that petitioner is raising challenge to the order passed by Caste Verification Committee. The impugned order is unreasoned one and on that ground alone it requires to be quashed and set aside. The second issue raised is that the Vigilance enquiry was not conducted.

6. Needless to mention that in earlier proceedings of Writ Petition No. 2317/2012, the caste certificate issued in favour of respondent no.3 was

quashed and set aside. Special Leave Petition is pending in respect of subject matter, therefore, no interference is warranted. Writ Petition is dismissed.

(V.L. ACHLIYA, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.