

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

PUBLIC INTEREST LITIGATION NO. 69 OF 2015  
Yelmar Samaj Sangharsha Samiti .vs. State of Maharashtra & others

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Office Notes, Office Memoranda of  
Coram, appearances, Court's orders      Court's or Judge's orders  
or directions and Registrar's orders.

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Mrs. Smita Sarode-Singalkar, Advocate for petitioner,  
Mrs. B.H. Dangre, G.P. for respondent nos.1 to 3.

**CORAM : B.R. GAVAI & PRASANNA B. VARALE, JJ.**

**DATED : SEPTEMBER 3, 2015.**

The reliefs claimed in the petition are for a direction to include Yallamalwar and/or Yelmar caste in the list of Scheduled Castes. The petitioner has also prayed for a declaration that Yallamalwar and Yelmar are one and the same.

Whether a particular caste is to be included or deleted from the list of Scheduled Castes is exclusively within the domain of Parliament. Only by an amendment to the Presidential Order by an Act of Parliament, such a thing can be done.

In so far as second direction for declaration that Yallamalwar and Yelmar are one and the same, if any such direction is issued, it will be contrary to the law laid down by the Apex Court in the case of **Palghat Jilla Thandan Samadhaya Samrakshna Samiti & another .vs. State of Kerala and another reported in (1994) 1 SCC 359.**

In that view of the matter, reliefs claimed in the petition cannot be granted by this Court. The petition is hence rejected.

J. Judge

Judge