

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.2246 OF 2016

Bhushan s/o Sadashiv Akhade,
Age-25 years, Occu:Student,
R/o-Near Jagdamba Devi Mandir,
Walsawangi, Walsawangi Shivna,
Jalna, Dist-Jalna.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through the Social Welfare
Department, Mumbai,
- 2) The Scheduled Caste, Vimukt Jati
Nomadic Tribes, Other Backward Class &
Special Backward Class Divisional
Caste Verification Committee,
Aurangabad Division, Aurangabad,
Through its Member Secretary,
Aurangabad.

...RESPONDENTS

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Mrs. Surekha G. Chincholkar Advocate for
Petitioner.

Mr. V.M. Kagne, A.G.P. for Respondent
Nos.1 and 2.

...

**CORAM: R.M. BORDE AND
A.I.S. CHEEMA, JJ.**

DATE : 25TH FEBRUARY, 2016

ORDER :

1. The Petitioner is aggrieved by the act of refusal of Respondent No.2 - Scrutiny Committee in accepting the proposal for verification of the caste certificate issued to the Petitioner. The Scrutiny Committee has refused to accept the proposal and issued communication in that regard on 16th February 2016, recording therein that since the Petitioner has not been admitted to any educational course, the proposal for validation of the caste certificate cannot be accepted.

2. 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 mandates the Scrutiny Committee to accept and consider the proposal for verification in accordance with the provisions of the Act. An

individual may require the validation certificate for various purposes i.e. such as, for contesting election, for securing employment, for claiming benefits under various Government schemes. The Scrutiny Committee cannot refuse to accept the proposal merely because the same has been submitted directly.

3. In the facts of the case, this Petition stands disposed of with direction to Respondent No.2 - Scrutiny Committee to accept the proposal for validation of the caste certificate from the Petitioner which would be submitted directly to the Scrutiny Committee within period of THREE WEEKS from today, and on receipt of the proposal, Scrutiny Committee shall proceed to verify the claim in accordance with the provisions of law and take appropriate decision in the matter, as expeditiously as possible, preferably within period of ONE YEAR from the date of receipt of the proposal.

4. With the directions as above, the Writ
Petition stands disposed of.

[A.I.S. CHEEMA, J.]

asb/FEB16

[R.M. BORDE, J.]