

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO.2905 OF 2016

Vikas s/o Deorao Deosarkar ... PETITIONER

VERSUS

The State of Maharashtra & another ... RESPONDENTS

.....
Shri V.S. Panpatte, Advocate for petitioner
Shri V.H. Dighe, A.G.P. for State

.....
CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.

DATED: 10th March, 2016.

ORAL ORDER :

1. Mr. Panpatte, learned counsel for the petitioner submits that the proposal of the petitioner seeking validation in respect of his caste claim as belonging to Kunbi - O.B.C. has been returned back on the ground that the election programme should be attached and it is not through any agency.

2. According to the learned counsel, the Committee can accept the proposal even if submitted directly. The learned A.G.P. submits that the said proposal was submitted at the time of election. As the purpose is over, same is returned back as it is

not through any agency.

3. Section 6 of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 lays down that any person can submit the proposal seeking validation of his caste claim. In light of that, there was no impediment for the respondent Committee to accept and decide the same on its own merits.

4. In light of that, the petitioner may submit his proposal seeking validation of his caste claim as belonging to Kunbi - Other Backward Class to the respondent Committee afresh. The respondent Committee shall not refuse to accept the said proposal on the ground that it is submitted directly. The proposal, if submitted by the petitioner, shall be complete in all respects. Upon receipt of the same, the respondent Committee shall decide the same on its own merits expeditiously. Writ Petition disposed of. No costs.

(A.I.S. CHEEMA, J.)

(S.V. GANGAPURWALA, J.)