

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

Writ Petition No. 171 of 2013

Mohd. Anwar Hussain s/o.
Mohd. Muzzafar Hussain,
Age : 43 years,
Occupation : Business,
R/o. House No. 4-6-2006,
Gadipura, Near Choti Dargaha,
Nanded,
Taluka & District : Nanded.

.. Petitioner.

versus

The State of Maharashtra,
Through its Secretary,
Caste Scrutiny Verification
Department,
Mantralaya, Mumbai,
& 3 others.

.. Respondents.

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*Mr. N.V. Gaware, Advocate, holding for
Mr. Amol N. Kakade, Advocate, for the petitioner.*

*Mr. V.H. Dighe, Asst. Government Pleader, for
respondent nos.1 and 2.*

Mr. M.V. Deshpande, Advocate, for respondent no.3.

Mr. J.M. Murkute, Advocate, for respondent no.4.

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**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, JJ.**

DATE : 5TH JANUARY 2016

PER COURT :

1. We have heard Mr. Gaware, the learned Counsel appearing for the petitioner; Mr. Dighe, the learned Asst. Government Pleader for respondent nos.1 and 2; Mr. Deshpande, the learned Counsel for respondent no.3 and Mr. Murkute, the learned Counsel for respondent no.4.

2. The petitioner, who is a defeated candidate in elections of Nanded-Waghala Municipal Corporation held in 2012, assails judgment of the Committee granting caste validity certificate in favour of respondent no.4.

3. If the petitioner feels that some fraud is played while getting the validity, remedy of the petitioner lies by making an application before the said Committee.

4. The petitioner, if so advised, may file application with the Committee. If such application is filed, the Committee would examine the said application and take appropriate steps in that regard, of course, after following principles of natural justice.

5. With the above observations, the Writ Petition is disposed of. No costs.

6. Amount of Rs. 50,000/- deposited by the petitioner is permitted to be withdrawn by the petitioner.

7. Office to return the record & proceedings of the Committee to the learned Asst. Government Pleader.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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