

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

31 WRIT PETITION NO. 11830 OF 2015

SHENAZ BEGUM SHAIKH CHAND
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioners : Mr. Vivek Bhavthankar h/f
Mr. Kshirsagar Gajanan K.
AGP for Respondents: Mr. S.K. Shinde
Advocate for Respondent No.3 : Mr. H.P. Jadhav h/f
Mr. A.K. Tiwari

CORAM : R. M. BORDE & A. I. S. CHEEMA, JJ.
Date: February 29, 2016

PER COURT :-

1 We have perused the order passed by the scrutiny committee. The petitioner professes muslim religion and as such in view of Clause 3 of the Constitution Order, 1950, she cannot claim to belong to SC category. Clause No.3 of the Constitution Order, 1950 reads:

" No person, who professes a religion different from the Hindu (The Sikh or Buddhist) religion, shall be deemed to be member of Scheduled Caste. "

2 The scrutiny committee has, on consideration of the record, given finding that, the petitioner professes Muslim religion and as such she cannot claim to be belonging to scheduled caste category. The entries in the school record of the petitioner indicate that, she professes Muslim religion.

3 In this view of the matter, we do not find that the committee has committed any irregularity or illegality in refusing to issue validation certificate to the petitioner. The petition is devoid of substance and hence stands rejected.

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

(R. M. BORDE, J.)