

**FARAD CONTINUATION SHEET No.**  
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**WRIT PETITION NO. 6439/2016**  
 (ANURADHA APPARAO MORE (ANURADHA GAJANAN WANKHADE) **VERSUS** S.T. CASTE  
 SCRUTINY COMMITTEE, AMRAVATI & ANOTHER)

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

Shri P.R. Parsodkar, counsel for the petitioner.  
 Mrs. Harshada Prabhu, A.G.P. for the R-1.

**CORAM : SMT. VASANTI A NAIK AND**  
**MRS. SWAPNA JOSHI, JJ.**  
**DATE : NOVEMBER 25, 2016.**

Heard.

By this writ petition, the petitioner challenges the order of the scrutiny committee, dated 29.08.2016 invalidating the claim of the petitioner of belonging to Thakur Scheduled Tribe.

It is stated on behalf of the petitioner that though the Sub-Divisional Officer, Washim, the competent authority, had issued a caste certificate in favour of the petitioner, the scrutiny committee wrongfully refused to verify the caste claim of the petitioner on merits by holding that the caste certificate tendered by the petitioner for verification was not in the proper form.

We have perused the caste certificate and the order of the scrutiny committee. We have also perused our order dated 16.06.2016 in Writ Petition No.2216 of 2016. We find, on a perusal of the caste certificate of the petitioner that the same is issued in favour of the petitioner by the Sub-Divisional Officer, Washim and the same is on a printed form

that is prepared by the respondents for issuance of the caste certificates. We do not find any propriety in the action on the part of the scrutiny committee of invalidating the claim of the petitioner only by observing that the caste certificate is not in the proper form. It would be necessary for the scrutiny committee to decide the caste claim of the petitioner on the basis of the caste certificate tendered by the petitioner and if the scrutiny committee is of the view that the Sub-Divisional Officer has not actually issued the caste certificate in favour of the petitioner, the scrutiny committee can conduct a vigilance enquiry in the matter of genuineness or otherwise, of the caste certificate. We are witnessing that the scrutiny committee is routinely passing the orders invalidating the caste claims of the applicants by detecting some minor flaws or mistakes in the caste certificates. The caste certificate is issued by the competent authority and if there are any minor flaws in the format of the caste certificate, the applicants cannot be blamed. It would be necessary for the scrutiny committee to verify the caste claim of the applicants that are desirous of seeking the verification of their caste claims and the caste claims cannot be invalidated on such flimsy grounds.

Hence, for the reasons aforesaid and also for the reasons recorded in the order dated 16.06.2016 in Writ Petition No.2216 of 2016, the writ petition is partly allowed. The impugned order is quashed and set aside. The scrutiny committee is directed to decide the caste claim of the petitioner on merits in accordance with law, as early as possible. The services of the petitioner are protected till her caste claim is decided.

Order accordingly. No costs.

**JUDGE**

**JUDGE**

APTE