

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.6845 OF 2015.

Vitthal Ramchandra Chauhan and ors.

..VS...

State of Mah.and anr.

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

Court's or Judge's orders

Mr.R.P.Masurkar, Advocate for the petitioners.
Mrs.M.S.Naik, AGP for respondent no.1.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : APRIL 20, 2016.

Heard for some time.

Petitioner did not point out to Sub-Divisional Officer that validity is given by Caste Scrutiny Committee to his relatives on paternal side. So also, no family tree was submitted. Sub-Divisional officer has on the basis of material made available to him declined to issue caste certificate. Thereafter, an affidavit has been sworn in which a family tree has been pointed out for the first time and certain validities are sought to be produced before this Court.

Learned Assistant Government Pleader has pointed out that against order of S.D.O. refusing to issue caste certificate, 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 (Act No.23 of 2001) provides for an appeal to the Scrutiny Committee.

In this situation, we are not inclined to entertain a Writ Petition directly as an alternate remedy appears to be more proper. Hence, with liberty to petitioner to approach Scrutiny Committee in appeal and with directions to that Committee to decide his appeal expeditiously, we dispose of the writ petition.

No costs.

JUDGE

JUDGE

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