

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

907 WRIT PETITION NO. 7818 OF 2017

PATHAN MUZAMMIL KHAN ZAKER KHAN  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner : Mrs. U.T. Pathan  
AGP for Respondents: P.S. Patil  
...

**CORAM : S.C. DHARMADHIKARI &  
MANGESH S. PATIL, JJ.  
DATE : 15.06.2017.**

**P.C. :-**

. The District Caste Scrutiny Committee (Nanded) has refused to accept the proposal of the petitioner for scrutiny and verification of a caste certificate issued to him. The caste certificate was issued on 31.03.2017, copy of which is at annexure "A".

2. Since the petitioner has appeared for the examination and is particularly interested in obtaining admission to a medical course has forwarded the certificate for scrutiny and verification of this competent committee, it appears that, it has done nothing over such a request or rather is refusing to take any cognizance of it.

3. We do not find from the scheme of 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, 2000 (for short "Maharashtra Act No. 23 of 2001") and the rules framed there under that the committee can refuse to accept any proposal or request for scrutiny and verification of the caste certificate particularly when that certificate is sought to be utilized to seek benefits and concessions meant for the Scheduled Tribe / Caste in the form of admissions to Educational Institutions, employment in public utilities or under the state and contesting elections.

4. This being the position which is not disputed by the learned A.G.P. either. We direct the Scrutiny Committee at Nanded to accept the proposal of the petitioner, verify and scrutinize the caste claim in accordance with law, as expeditiously as possible and in any event within a period of three months from the date of receipt of a copy of this order. All contentions on merits are kept open. Writ petition stands disposed of.

**[MANGESH S. PATIL, J.]**

**[S.C. DHARMADHIKARI, J.]**