

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

WRIT PETITION NO. 11722 OF 2015

KHAN SARWAT HUSSAIN SAGHEER AHMED
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHERS

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Advocate for Petitioner : Ansari A.N.
AGP for Respondent no.1 : Mr. V.M.Kagane
Advocate for Resp. no.2 : Mr. P.S.Patil

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CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.

DATED : 16th FEBRUARY, 2017

O R D E R :

The Scrutiny Committee has refused to consider the application tendered by petitioner for verification of caste certificate solely on the ground that the caste certificate issued by the Sub-Divisional Officer, Yeola, District Nasik on 11.6.2014 is not in proper format. It has been recorded by the Scrutiny Committee that while issuing caste certificate, the Sub-Divisional Officer has not taken care to fill in necessary information i.e. evidence forming basis for issuance of caste certificate in favour of

petitioner. According to petitioner, his father as well as grand-father were residing in Nasik district and as such, Sub-Divisional Officer, Yeola is competent to issue the certificate.

2. In the facts and circumstances of the case, the petition can be disposed of by granting liberty to petitioner to tender application for issuance of fresh caste certificate to Sub-Divisional Officer, Yeola and further directing the concerned official to consider the application and issue fresh certificate recording all necessary particulars within specified time. If petitioner tenders application in prescribed format for issuance of fresh caste certificate within a period of three weeks from today, Sub-Divisional Officer, Yeola, shall consider the same and issue caste certificate in prescribed format recording all necessary particulars, within a period of eight weeks from the date of receipt of application. On receipt of caste certificate, it would be open for the petitioner to tender the

same along with proposal in prescribed proforma to the Caste Scrutiny Committee. On receipt of proposal from petitioner, the Committee shall conduct scrutiny and record decision in respect of validation of Caste Certificate, as expeditiously as possible, preferably within a period of eight months. With these directions, petition stands disposed of.

(K.L.WADANE, J.)

(S.V.GANGAPURWALA, J.)

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