

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

105 WRIT PETITION NO. 1456 OF 2017

SIDDIQI AMINODDIN GULAM RASUL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Shinde Ram S.
AGP for Respondents State: Mr. M. B. Bharaswadkar

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

DATE : 13th February, 2017

ORDER:

1. Mr. Shinde, the learned counsel for the petitioner states that the caste claim of the petitioner as belonging to Julha- OBC was referred to the committee in the year 2011. The same is not decided as yet. Mr. Patil, the learned AGP, on instructions states that the caste claim of the petitioner was forwarded to the committee, even vigilance was conducted, however as the petitioner was not elected, the same was returned back.

2. The committee ought to have decided the validity proceedings in respect of the caste claim of the petitioner on merits, irrespective of the fact whether the petitioner is elected or defeated in the election. As the proposal is returned back, the

petitioner may apply to the committee afresh in a proper format.

3. The Committee, on receipt of the said application, shall decide the same on its own merits, in accordance with the procedure, expeditiously, preferably within 9 months of the receipt of the proposal from the petitioner.

4. The petitioner shall cooperate in expeditious disposal of the proceedings before the Committee.

5. Writ petition is accordingly disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC