

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 197 OF 2014**

**Sheware Ratnaprabha Vana**

**...Petitioner**

*Versus*

**State of Maharashtra & Ors.**

**...Respondents**

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Mr. R.K. Mendadkar, for the Petitioner.

Mr. C.P. Yadav, AGP, for the Respondents No. 1 & 2.

Mr. G.B. Walawalkar, h/f Mr. S.P. Thorat, for Respondents No. 3  
& 4.

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**CORAM : B.R. GAVAI AND  
RIYAZ I. CHAGLA, JJ.**

**DATE : 27 June 2017**

**ORDER :**

1. The Petitioner has approached this Court being aggrieved by the judgment and order passed by the scrutiny

committee dated 22 November 2013 thereby invalidating the claim of the Petitioner of belonging to Mahadeo Koli, Scheduled Tribe.

2. Shri. Mendadkar, the learned Counsel appearing on behalf of the Petitioner, submits that the scrutiny committee has failed to take into consideration the report of the vigilance cell which is favourable to the Petitioner and as such impugned order is liable to be quashed and set aside on the short ground.

3. Perusal of the material placed on record would reveal that not a single document of the preconstitutional era is placed on record to fortify the claim of the Petitioner. Not only that but the perusal of material placed on record would reveal that on some documents the caste in respect of the Petitioner's father is shown as Koli, whereas the Petitioner's caste mentioned in the school record is Tokare Koli. No explanation with regard to this contradictory material is given by the Petitioner.

4. We do not find that the findings given by the Committee can be said to be perverse or impossible warranting interference is extra ordinary jurisdiction under Article 226 of Constitution of India. The Writ Petition is accordingly rejected.

5. The learned Counsel for the Petitioner, at this stage, requests for continuation of an interim protection for a period of four weeks.

6. Taking into consideration that we have found that the Petitioner's own documents shows that she belongs to Tokare Koli and not Mahadeo Koli, the prayer is rejected.

**[RIYAZ I. CHAGLA J.]**

**[B.R. GAVAI, J.]**