

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

WRIT PETITION NO.1226 OF 2013

The State of Maharashtra

... Petitioner

V/s.

Shri Narayansing Ramprasad Pardeshi and ors.... Respondents

Mr.N.C.Walimbe, AGP for the Petitioner.

Mr.R.K.Mendadkar with Ms. Komal Gaikwad, Advocate for the Respondents.

**CORAM : ANOOP V. MOHTA AND
RAVINDRA V. GHUGE, JJ.**

DATE : 12 APRIL 2017.

FINAL ORDER :

1. The Petitioner-State has challenged Caste Validity Certificate dated 22nd May, 2009 (The certificate) issued to Respondent No.1- Narayansing (uncle) by Respondent No.2-(The Scrutiny Committee). This was on the foundation of pendency of Writ Petition No. 1493 of 2012 of Tejassing (Nephew) as his caste claim was invalidated and therefore, to avoid conflict in judgment and the multiplicity of the proceedings, prayers are made to set aside the Certificate.

2. The learned counsel appearing for the Petitioner has pointed out the judgment of this Court in Writ Petition No. 1493 of 2012 dated 29th June, 2016, whereby this Court has set aside the order of Scrutiny Committee against Tejassing. That resulted into direction to issue a certificate of validity in favour of Tejassing being belonging to "Rajput Bhamta". In view of above, we see no reason to entertain the challenge so raised by the State, as such paternal side caste certificates being validated, would support the other paternal side relative's claim, unless a case of fraud and misrepresentation is made out.

3. The Petition is therefore, dismissed at this stage itself. No costs.

(RAVINDRA V. GHUGE,J.)

(ANOOP V.MOHTA,J.)

....