

DDR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1844 OF 2017
IN
WRIT PETITION NO. 8775 OF 2017

Shri Ramvachan Sitaram Murai ...Applicant

In the matter of

Shri Ramvachan Sitaram Murai .. Petitioner

Vs.

The State of Maharashtra & others .. Respondents

.....

Mr. Rajendra Desai with Raghavan Sarathy i/by Thodur Law Associates for the Applicant and Petitioner.

Mr. A.A. Alaspurkar, AGP for Respondent no.1/State.

Mr. B.D. Joshi, Advocate for Respondent No.6.

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CORAM : B.R.GAVAI &

M.S. KARNIK, JJ.

DATED: 16TH AUGUST, 2017

PC. :

The prayer made in the Civil Application seeking direction from this Court which are violative of the provisions as contained in Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation

of Issuance of Verification of) Caste Certificate Act, 2000. We are of the considered view that such relief cannot be granted in Civil Application. Civil Application is rejected.

2. The petitioner has sought a direction to investigate with regard to the caste certificate issued in favour of respondent no.6.

3. The certificate issued in favour of respondent no.6 is already being scrutinized by the competent Scrutiny Committee. In that view of the matter, we are not inclined to give direction to investigate the caste certificate, at this stage. Needless to state that in the event the Scrutiny Committee passes an order in favour of valid claim of respondent no.6 and if the petitioner is of the view that such order is not sustainable in law, it is always open for him to challenge the said order. Petition is therefore rejected.

(M.S. KARNIK, J.)

(B.R.GAVAI, J.)