

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

WRIT PETITION NO. 893 OF 2017

Sudhirchandra S/o Vilas Kokane

... Petitioner

VERSUS

The State of Maharashtra & Ors.

... Respondents

.....
Mr Hanmant V. Patil, Advocate for the petitioner
Mr P. S. Patil, AGP for respondent/State
Mr A. A. Phad, Advocate for respondent No. 3
.....

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 13TH FEBRUARY, 2018.

ORDER:

1. Mr Patil, learned counsel for the petitioner submits that, the caste claim of the petitioner is invalidated even without conducting the vigilance. The learned counsel for the petitioner further submits that, subsequently the niece of the petitioner has been granted validity certificate of Shegar, Dhargar Caste recognized as (NT-C).

2. The learned Asst. Government Pleader on going through the record and the judgment accedes to the fact that the Committee

had not conducted vigilance.

3. The vigilance is required to be conducted and the same is mandatory.

4. Considering the fact that, the vigilance has not been conducted and also that subsequently niece of the petitioner has been granted validity as contended by the petitioner, we quash and set aside the impugned order and relegate the petitioner before the Committee. The petitioner shall appear before the Committee on 05.03.2018. The committee shall conduct vigilance. The petitioner is also at liberty to file additional evidence which would be considered by the Committee. The Committee shall thereafter decide the proceedings expeditiously, preferably within eight months from the date of appearance of the petitioner.

5. Writ petition is partly allowed. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE