

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO. 1336 OF 2006

Ratansing Motising Salok

Age: 27 years, Occ: Service,

R/o Mahora Tq. Jafrabad

District Jalna at present Serving at Tahsil Office,

Pathari, District Parbhani.

.. Petitioner

Versus

1. The State of Maharashtra
Through The Secretary
Revenue and Forests Department
Mantralaya, Mumbai.
2. The Scheduled Castes, VJ, NT, OBC and SBC Category
Divisional Caste Certificates Scrutiny Committee
Aurangabad Division, Aurangabad,
Through Its Member Secretary.
3. The Collector, Jalna,
District: Jalna.
4. The Tahsildar,
Tq. Jafrabad, Dist. Jalna .. Respondents

Shri. Avinash A. Khande, Advocate h/f Shri. D. S. Bagul, Advocate for
Petitioner.

Shri. C. K. Shinde, Advocate for Respondent No. 2.

Shri. S. P. Sonpawale, A.G.P. for Respondent No. 1.

CORAM : S.V. GANGAPURWALA AND

S. M. GAVHANE, JJ.

DATED : 31st August, 2018

ORAL JUDGMENT: (PER: S.V. GANGAPURWALA, J.)

. Mr. Khande, the learned counsel for the petitioner submits that at present petitioner would pray for the remand of the matter. The real brother of the petitioner has been issued with the validity certificate of Rajput Bhamta (V.J.) in the year 2014. The caste claim of the petitioner's cousin brother was invalidated. He had approached this court by filing Writ Petition No. 4994/2003. This court partly allowed the writ petition and remanded the matter back to the committee. After remand of the matter, committee validated the caste claim of the said cousin brother of the petitioner and issued the validity certificate of Rajput Bhamta. The said aspect need to be considered by the committee.

2. The learned Assistant Government Pleader submits that, the committee has considered the documentary evidence on record, so also has considered the vigilance report and thereafter has rightly passed the

order.

3. It is submitted by the petitioner that pursuant to the filing of writ petition, the real brother of the petitioner is issued with the validity certificate. So also the cousin brother of the petitioner namely, Shri. Laxmansingh Hilalsingh Salokh has been issued with the validity certificate on 02.11.2017. The same would be relevant fact while considering the case of the petitioner.

4. In light of the above, we accept the prayer of the petitioner. The impugned order is quashed and set aside. The petitioner is relegated before the committee. The petitioner shall appear before the committee on 19.09.2018. The petitioner may produce the additional evidence before the committee. The committee shall thereafter decide the proceedings expeditiously and preferably within a period of 06 (six) months from the date of appearance of the petitioner. Rule is accordingly made partly absolute in above terms. No costs.

[S. M. GAVHANE, J.]

ass/wp 1336.06

[S. V. GANGAPURWALA, J.]