

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

WRIT PETITION NO. 3733 OF 2018

Janabai D/o Raosaheb Maske

...Petitioner

Versus

Scheduled Caste Certificate Scrutiny
Committee, Beed.

...Respondents

Mr.T.G.Gaikwad, Advocate for Petitioner

Mrs. V.N.Jadhav Patil, A.G.P. for Respondent

.....

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

DATE: APRIL 12, 2018

PER COURT :

1. Mr. Gaikwad, the learned counsel submits that the respondent-Committee has not accepted the proposal on the ground that old documents are not submitted. The learned counsel submits that the proposal in complete format was given.
2. The learned A.G.P. submits that as old documents are not submitted, so also, the revenue record, the proposal has not been accepted.
3. The deficiencies pointed out in the impugned communication are the ones, which the Committee has to consider while weighing the evidence. It should not have refused

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to accept the proposal only on the ground that the documents prior to the issuance of notification or old documents are not annexed with the proposal. If the Committee is not satisfied about the veracity of the documents filed and comes to the conclusion that the petitioner could not prove his claim, the Committee has right to reject claim on merits. However, the proposal cannot be refused to be accepted only on the ground that old documents are not filed.

4. Considering the above, the impugned communication is quashed and set aside.

5. The respondent-Committee shall accept the proposal of the petitioner if submitted in a proper format and shall endeavour to decide it on its own merits.

6. The writ petition is disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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