

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

WRIT PETITION NO. 10891 OF 2017

Shri. Subhash S/o. Kondiba Suradkar ... Petitioner

VERSUS

The State of Maharashtra & Ors. ... Respondents

.....
Mr Amol B. Chalak, Advocate for the petitioner
Mr A. S. Shinde, AGP for respondent/State
Mr P. D. Palodkar, Advocate for respondent No. 3
.....

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

DATE : 05TH MARCH, 2018.

ORDER:

1. The petitioner assails the validity certificate issued in favour of respondent No. 3.
2. We have heard Mr Amol B. Chalak, learned counsel for the petitioner, Mr A. S. Shinde, learned Assistant Government Pleader for respondents No. 1 & 2 and Mr D. P. Palodkar, learned counsel for respondent No. 3.
3. With the assistance of the learned counsel for the respective parties, we have gone through the order of the Committee so also the original record.

4. Upon perusal of the original record, it appears that the vigilance has not been conducted. At least we could not find the vigilance report in the original file.

5. It also appears that, name of respondent No. 3 prior to marriage was Meerabai Shankar Wagh. The documents of a parental side were required to be considered. The same do not appear except the genealogy and caste certificate, however, the school records of those persons is not forthcoming. It appears that the Committee in a very casual manner has issued validity certificate without adhering to the rules and the procedure laid down.

6. In light of the above, the impugned validity certificate issued in favour of respondent No. 3 is quashed and set aside. The parties are relegated before the Committee. The Committee shall, by adhering to the rules/procedure, conduct the proceeding with regard to verification of the caste certificate of respondent No. 3 afresh, on its own merits. The parties shall appear before the Committee on 19.03.2018. The Committee shall decide the said proceeding expeditiously, preferably within six months from the date of appearance of the petitioner. Till then the adverse action shall not be taken against respondent No. 3.

7. Writ Petition is, accordingly, disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde