

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

**WRIT PETITION NO. 10897 OF 2015**

Sharda Shivsing Kachhava .. Petitioner

**Versus**

The State of Maharashtra and others .. Respondents

Shri. P.R. Patil, Advocate for the Petitioner.

Shri. P.S. Patil, Addl.G.P. for Respondent Nos.1 and 2.

None for Respondent No. 3.

**WITH  
CIVIL APPLICATION NO. 10278 OF 2017**

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

**DATED : 27<sup>th</sup> February, 2018**

**PER COURT:**

. The caste claim of the petitioner of Rajput-Bhamta (N.T.) is invalidated. Aggrieved thereby, the present petition.

2. Mr. Patil, the learned advocate submits that the real sister of petitioner Sheetal has been issued validity certificate of Rajput-Bhamta (N.T.). The learned counsel relies on the amendment to the Maharashtra Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Rules, 2012 to submit that if validity is granted to the blood relative from the paternal side then the validity is required to be issued to the petitioner.

3. Mr. Patil the learned Additional Government Pleader submits that pre-independence documents are against the petitioner and the said fact has been considered by the Committee. No error has been committed by the Committee

4. It appears that the evidence that was produced in the case of Sheetal, vigilance report therein and the reasons given by the Committee are not considered while invalidating the tribe claim of the petitioner. The same ought to have been done by the Committee.

5. Considering above, we set aside the impugned order and relegate the party before the Committee. The petitioner shall appear before the

Committee on 19.03.2018. The Committee shall after hearing the petitioner decide the claim of the petitioner of belonging to Rajput-Bhamta (N.T.) afresh expeditiously, preferably within four months from the date of appearance.

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

7. In view of the disposal of writ petition, Civil Application is also disposed of.

**[ A. M. DHAVAL, J. ]**

**[ S. V. GANGAPURWALA, J. ]**

ass/wp 10897.15