

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 406 OF 2018.

Ganesh Guna Chodankar.,

... Petitioner

Versus

State of Goa, Thr. The Chief
Secretary and 5 ors.

... Respondents.

Mr. C. Padgaonkar, Advocate for the Petitioner.

Mr. Sagar Dhargalkar, Addl. Govt. Advocate for the Respondent nos.1,
2, 3 to 6.

Mr. G. Panandikar, Advocate for the Respondent no.4.

Coram:- N. M. JAMDAR &

PRITHVIRAJ K. CHAVAN, JJ.

Date:- 12 June 2018.

P.C:-

By this petition, the petitioner has taken exception to the order passed by the Scrutiny Committee, Panaji Goa, dated 23 February 2018, wherein the Scrutiny Committee had directed an inquiry to be made in the village Priol in Ponda Taluka and submit a report within two weeks to enable the Committee to take a decision in the matter.

2. The Petitioner who is a complainant has taken exception to this course of action. According to the Petitioner, the Vigilance Squad had conducted an inquiry in the village specified by the Respondent no.4 himself and once the Respondent no. 4 has failed to produce any document, it was not necessary for the Committee to adopt this course of action.

3. When the validity of the caste certificate is considered, it is necessary, as held by the Apex Court in the decision of *Madhuri Patil vs Addl. Commissioner Tribal Development*¹ that the inquiry is made through the Vigilance Squad at place of origin of the claimant, so that the squad can interview people from the village as to which community the claimant belongs. The learned Counsel for the Respondent no.4 has drawn our attention to birth extract of father of the Respondent no.4, who is stated to have born in village Priol. In these circumstances, if the Committee has found it necessary to call for a report from village Priol, we do not find the such approach taken is perverse or illegal.

4. We have been informed that the report has already been received by the Scrutiny Committee from the concerned Talathi. The

1 AIR 1995 SC 94

Scrutiny Committee will dispose of the proceedings finally within a period of three months from today.

5. Writ Petition is accordingly disposed of, keeping contentions of all the parties open to be considered by the Scrutiny Committee.

PRITHVIRAJ K. CHAVAN, J.

N. M. JAMDAR, J.