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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8732 OF 2018

Ratnakant Balu Gawde

...Petitioner

Versus

The State of Maharashtra,

Through Caste Scrutiny Committee, Kolhapur and Ors. ...Respondents

Mr.S.P.Shinde, for the Petitioner.

Mr.A.A.Kumbhakoni, Advocate General a/w Mr.Akshay Shinde and
Ms.M.P.Thakur, A.G.P. for the Respondent Nos.1 and 2.

Mr.S.S.Raktate a/w Mr.Amar Parsekar, for the Respondent No.3.

**CORAM : RANJIT MORE &
REVATI MOHITE DERE, JJ.**

DATE : 4th DECEMBER, 2018

P.C. :

1. The facts of the present case are more or less similar to the facts of Writ Petition No.10214 of 2018. In this case, the learned Advocate General has given a consent and made a statement that the impugned order will be withdrawn. Learned Advocate General also submitted that the Petitioner would be at liberty to apply afresh to the Competent Authority for caste certificate and in the event, such a certificate is granted, the same will be scrutinized by the Caste Scrutiny

Committee.

2. Learned Counsel for the Petitioner has no objection to the course suggested by the learned Advocate General.

3. In the light of the above and for the reasons stated in the order dated 4th December, 2018, passed today in Writ Petition No.10214 of 2018, we dispose of the above Petition, by passing following order:-

- a) The impugned order dated 27th June, 2018, passed by the Respondent No.1 - Caste Scrutiny Committee, Kolhapur, stands withdrawn;
- b) The Petitioner is at liberty to apply afresh to the Competent Authority for issuance of the caste certificate;
- c) The Competent Authority shall consider the Petitioner's claim, within a period of four weeks from the date of filing of the application by the Petitioner;
- d) In the event, a caste certificate is granted to the Petitioner by the Competent Authority, the same shall be sent to the Respondent No.1 - Caste Scrutiny Committee, Kolhapur, for scrutiny;

- e) The Respondent No.1 – Caste Scrutiny Committee, Kolhapur, thereafter, shall pass appropriate orders, after following due procedure under the said Act and Rules framed thereunder, within six months from the date of reference.
4. The Petition is accordingly disposed of.

REVATI MOHITE DERE, J.

RANJIT MORE, J.