

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 616 OF 2018

Vasant Govind Kalokhe	..Petitioner
Versus	
State of Maharashtra and ors.	..Respondents

Mr. C. K. Bhangoji i/b. Ms. Priyanka Shaw, advocate for the petitioner.
Mr. V. N. Sagare, AGP for the State.
Mr. V. A. Madane, advocate for the respondent No.6.
Mr. V. A. Thorat, senior advocate along with Mr. Surel S. Shah i/b. Mr. P. G. Kathane, advocate for the respondent No.3.

**CORAM : RANJIT MORE &
SMT.ANUJA PRABHUDESSAI, JJ.**

DATE : 14th FEBRUARY, 2018.

P. C. :

Heard.

2. By this petition, the petitioner is challenging the order of the respondent No.2-Caste Scrutiny Committee whereunder the caste claim of the respondent No.3 that he belonged to Kunbi - OBC caste has been accepted and caste certificate to that effect is validated.

3. We have gone through the impugned order passed by the respondent No.2. The respondent No.3, in order to claim that he belonged to Kunbi caste relied upon as many as 23 documents including

the genealogy. The genealogy of the respondent No.3 is held to be proved. While passing the impugned order, the respondent No.2-Caste Scrutiny Committee relied upon the documents at serial Nos. 5 and 6. The document at serial No.5 pertained to the petitioner's great grand uncle and document at serial No.6 pertained to the petitioner's great grand father. The document at serial No.5 is of the year – 1888-89 and the document at No.6 is of the year 1886. Both these documents show that the petitioner's great grand uncle and grand father belonged to the Kunbi Caste. In addition to this, the respondent No.2-Caste Scrutiny Committee also relied upon the vigilance report which supported the petitioner's claim.

4. The learned counsel for the petitioner relied upon other documents and letters and submitted that the said documents are of paternal forefather of the petitioner and they have been shown as belonging to Hindu Maratha caste. The documents, on which, the petitioner relied upon are of the subsequent period. Whereas the documents relied upon by the respondent No.3 are very old documents and, therefore, have more probative value.

5. In the above circumstances, we do not find any error in the impugned order passed by the respondent No.2 so as to enable us to

interfere with the same in exercise of jurisdiction conferred upon this Court under Article 226 of the Constitution of India. The petition is devoid of any merit and is, accordingly, dismissed.

[SMT.ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]