

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6226 OF 2016

Bhimrao Pandurang Holkar & Ors.	...	... Petitioners
V/s.		
The Divisional Caste Scrutiny Committee No.1, Solapur & Ors.		... Respondents
	...	
Mr. Dilip Bodake for the Petitioner.		
Mr.R.S.Pawar, A.G.P. for Respondent Nos.1 to 3.		

CORAM : **A.A. SAYED &**
N. J. JAMADAR, JJ.

DATED : 14 DECEMBER 2018

P.C.:

By this Petition the Petitioners have impugned the order dated 27-04-2015 passed by the Divisional Caste Scrutiny Committee No.1, Solapur in Appeal No.19 of 2014, whereby the Petitioners' Appeal challenging the order dated 25-06-2014 of the Sub Divisional Officer denying the Caste Certificate to the Petitioners, who claim to belong to "Yallamalwar Caste", came to be dismissed.

2. It is the case of the Petitioners that though documents were produced showing their caste as "Yelmar", the same is only a short-form of the word "Yallamalwar". Learned Counsel for the Petitioners has annexed to the Petition atleast three orders of the same Scrutiny Committee, wherein it is held by the said Committee that " Yelmar" caste is the short-form of

“Yallamalwar” caste.

3. In these circumstances, in the interest of justice, we pass the following order:

(i) The impugned order dated 27-04-2015 passed by the Divisional Caste Scrutiny Committee No.1, Solapur in Appeal No.19 of 2014 is set aside and the matter is remitted back to the said Caste Scrutiny Committee.

(ii) The Caste Scrutiny Committee shall now pass a fresh order after hearing the Petitioners and after considering the orders passed by the Caste Scrutiny Committee [Order dated 16-02-2015 (page 55 of the Petition), order dated 03-08-2015 (page 291 of the Petition), order dated 21-08-2015 (page 311 of the Petition)].

(iii) The Caste Scrutiny Committee shall decide the Appeal as expeditiously as possible and in any event before 30 September 2019.

3. The Petition is disposed of in the aforesaid terms. All contentions are kept open.

(N. J. JAMADAR,J.)

(A.A.SAYED, J.)