

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9600 OF 2017

Rahul Kantilal Bhise.

..Petitioner.

Versus

Mahesh Shivaji Kamble & Others.

..Respondents.

Mr. Pradeep Havnur for the Petitioner.

Mrs. M. P. Thakur, AGP for the Respondent-State.

Mr. A. P. Kulkarni for Respondent No.1.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **August 8, 2018.**

P. C. :

1. Heard the learned counsel appearing for the respective parties. By this petition filed under Article 226 of the Constitution of India, the Petitioner is challenging the decision of Respondent No.3 - the Caste Scrutiny Committee whereunder validity of the caste certificate of 1st Respondent is upheld. The impugned decision is based upon the vigilance cell enquiry report and the documentary evidence regarding Shankar (cousin uncle of the Petitioner) and Arun (cousin of the Petitioner). Documents of both these persons show that they belong to the scheduled caste. These documents pertain to the pre-independence period. In our opinion, Respondent No. 3 - Committee has rightly relied upon these documents.

2. Learned counsel for the Petitioner then invited our

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attention to the affidavit filed by one Sachin Yadu Kambale to point out that Respondent No.1 is not the descendant of Bhau. This affidavit by Sachin is filed for the first time in this Court. That was not part of the record of caste scrutiny committee proceedings.

3. Taking totality of facts and circumstances of the case into consideration, we are not inclined to entertain this writ petition and the same is accordingly dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]