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

CIVIL WRIT PETITION NO.12090 OF 2018

Kiran Gorakharh Shinde

...Petitioner

Versus

Govt of Maharashtra and Ors.

...Respondents

Mr.S.B.Trivedi, for the Petitioner.

Ms.K.R.Kulkarni, A.G.P. for the Respondent – State.

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

DATE : 4th DECEMBER, 2018

P.C. :

1. Heard.

2. By this Petition, the Petitioner is challenging the order of the Respondent No.2 – President, District Caste Validity Verification Committee, validating the caste certificate of the Respondent No.3.

3. The Respondent No.3 claiming that she belongs to Hindu Mahar Scheduled Caste, obtained the caste certificate, which was

scrutinized by the Respondent No.2 – Committee. The Respondent No.3 relied upon, as many as seven documents, which are referred in the impugned order, in support of her caste claim.

3. For the purpose of disposing of the above Writ Petition, reference should be made to the documents, which are from Serial Nos. 4 and 6 respectively. The document at serial no.4 is the School Leaving Certificate of the Respondent No.3's uncle Suresh Ganpat Sangare. In the School Leaving Certificate of Suresh Sangare, the birth date of Suresh Sangare is shown as 1st June, 1957 and his caste is shown as Hindu Mahar. The document at Serial No.6 pertains to the Petitioner's great grandfather. This document is a Sale Deed of 1935 and in this Sale Deed, the surname of the Petitioner's great grandfather is shown as Mahar.

4. In addition to the documents mentioned above, the Caste Scrutiny Committee has also enquired regarding the social status of the Respondent No.3 and came to a conclusion that she belongs to Hindu Mahar Scheduled Caste.

5. Be that as it may, the Petitioner is a social worker and he has filed this Petition in his individual capacity. In our opinion, the Petitioner cannot be permitted to do so.

6. Taking the totality of the above circumstances, we find no merit in this Petition. The Petition is accordingly dismissed.

REVATI MOHITE DERE, J.

RANJIT MORE, J.