

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11319 OF 2018

Pranav Prabhakar Sapkale
V/S

...Petitioner

State of Maharashtra & Anr.

....Respondents

Mr. Chintamani K. Bhangoji i/b Mr. R.K. Mendadkar for the Petitioners.
Mrs. M.S. Srivastava, AGP for Respondent Nos.1 and 2/State.

**CORAM : A.A. SAYED &
A.K. MENON, JJ.**

DATE : 19 NOVEMBER 2018.

ORDER:

1 The prayers in the Petition are as follows:

“(a) This Hon'ble Court be pleased to issue Writ of Mandamus and or any other Writ, Order or Direction in the nature of Mandamus thereby directing the Respondent No.2 committee to forthwith issue caste validity certificate in form 'G' under rule 12(7) and 12(9a) of the Scheduled Tribe Certificate (Regulation of Issuance and Verification of) Rules, 2003 by deleting the second clause appearing on the caste validity certificate dated 8-8-2018.

(b) That this Hon'ble Court be pleased to hold and declare that the conditional caste validity certificate dated 8-8-2018 issued to the petitioner is not as per provisions of Caste Certificate Act, 2001 and Rules, 2003 framed thereunder, and is liable to be replaced with unconditional caste validity certificate."

2 Learned AGP does not dispute that the issue raised in the Petition is squarely covered by the order dated 13 August 2018 passed by the Division Bench of this Court in Writ Petition No.9075 of 2018. In the circumstances, for the reasons stated in the aforesaid order dated 13 August 2018 of the Division Bench, we pass the following order:

- i) The condition stated in the validity certificate shall stand deleted.
- ii) The Scrutiny Committee will issue a fresh caste validity certificate in the prescribed format i.e. Form 'G'. The Scrutiny Committee will issue the fresh caste validity certificate after deleting the condition in the earlier validity certificate within a period of four weeks from today.

3 The Petition is disposed of in the aforesaid terms.

(A.K. MENON, J.)

(A.A. SAYED, J.)

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