

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.2049 OF 2019

ABDUL SATTAR AYUB BAGWAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.M.S.Choudhary, Advocate for the petitioner
Mrs.R.P.Gaur, AGP for the respondents/State

**CORAM : PRASANNA B. VARALE &
NITIN W.SAMBRE, JJ.**

DATED : 14.03.2019

P.C. :-

. Heard learned counsel for the petitioner.

2. On perusal of the documents, we are of the opinion that the petition is filed under erroneous impression as if the Committee refused to accept the claim of the petitioner for validation. The order impugned in the petition placed on record at Exh.F clearly shows the sequence of the events. In the opening part of the order, it is stated that the petitioner was informed to remove certain objections by way of written communication and or short message service. It is also stated that an opportunity of hearing was also given i.e. 03.08.2018. The petitioner was unable to attend the hearing. Then the Scrutiny Committee further provides an

opportunity to the petitioner with a statement that if the petitioner is desirous of validation of his claim and caste certificate, the petitioner may attend the Committee by revised attempt by curing the defects and submitting documents to that effect. The Committee also refers to enlisted documents. This order clearly shows that the Committee is providing an opportunity to the petitioner and the object is not to close the doors to the petitioner but to permit the petitioner to go before the Committee by curing defects.

3. In this fact situation, we are unable to show any indulgence in the petition. The petition, thus, being thoroughly meritless, deserves to be dismissed at the admission stage. Accordingly the same is dismissed.

4. We further make it clear that the petitioner is not prevented to go before the Committee as per communication dated 14.09.2018.

[NITIN W.SAMBRE, J.]

[PRASANNA B. VARALE, J.]