

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

948 WRIT PETITION NO.9170 OF 2019

KRISHNA DATTA CHUKEWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
948 WRIT PETITION NO.7435 OF 2019

PRANAV DATTA CHUKEWAD
THROUGH FATHER- DATTA KERBAJI CHUKEWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS...

Advocate for Petitioners : Mr. Vibhute Sunil M.
AGP for Respondents State: Mr. P. S. Patil

**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 25th July, 2019

PER COURT :

1. Learned advocate for the petitioners seeks leave to delete respondents 4 and 5 in writ petition No.9170/2019 and respondents 2 and 3 in Writ Petition No.7435/2029. Leave granted.

2. Issue notice to the respondents. Learned AGP waives notice for respondents 1 to 3 in writ petition No.9170/2019 and respondent No.4 in Writ Petition No.7435/2029.

3. Caste claims of the petitioners are invalidated. The petitioners are real brothers. Their caste claim is

invalidated on the ground that original entry in the school record of the father of the petitioner was different. The Committee had considered the tribe/validity certificates issued to Ganesh Madhavrao Chukewad and Yogesh Madhavrao Chukewad.

4. Mr. Vibhue, the learned Advocate for the petitioners submits that after the judgment is delivered by the Committee, the petitioner could lay hands on the School record or their cousin uncle namely Maruti Chukewad and the validity issued to his two sons. The petitioners be given liberty to place on record the documents before the Committee.

5. We have heard learned AGP.

6. Learned AGP submits that the committee has considered the validity issued to cousins of the petitioners and after discussing all the record, has correctly passed the order invalidating the tribe claim of the petitioners.

7. The petitioners seek to rely on the additional evidence. Of course, additional evidence will have to be weighed on the basis of evidence already on record.

Considering that the matter pertains to social status of the petitioners, we grant one more opportunity to the petitioners to produce additional evidence.

8. In the light of above, the impugned order is quashed and set aside.

9. The matters are remitted before the Committee. The petitioners shall appear before the committee on 26.07.2019 and produce additional documents. The Committee may, if finds the same to be relevant, get it verified through vigilance.

10. The Committee shall decide the matter expeditiously preferably within 15 days from the date of appearance of the petitioners.

11. Writ petitions are accordingly disposed of. No costs.

(MANGESH S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

JPC