

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

1007 WRIT PETITION NO.10561 OF 2018

SNEHA DAYANAND GHANTEWAD TROUGH FATHER DAYANAND
MOHANRAO GHANTEWAD ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER ..RESPONDENTS

...

Mr. S. R. Barlinge, Advocate for the Petitioner.

Mr. V. M. Kagne, AGP for Respondents-State.

...

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

DATED : 13th JUNE, 2019.

PER COURT:-

1. The caste claim of the petitioner as Koli Mahadeo, Scheduled Tribe is invalidated.

2. We have heard Mr. Barlinge, learned counsel for the petitioner. The learned counsel relies upon the validity issued to the father and the real paternal uncle of the petitioner, so also relies upon the entries in the school record.

3. Mr. Kagne, learned A.G.P. for the Committee submits that though the validity is issued in favour of the father and real paternal uncle of the petitioner, the Committee had reopened the case of the father and real paternal uncle of the petitioner and they were also issued the show

cause notice. Now the next date kept is 18.06.2019.

4. As the proceedings have been reopened, the order that would be passed in the matter of the father of the petitioner and real uncle of the petitioner would be relevant while considering the case of grant of validity in favour of the petitioner.

5. As the matter has been reopened by the Committee with regard to the validity granted to the father and the real uncle of the petitioner, we also remit the present matter to the Committee to reconsider the same alongwith the matter that has been reopened in respect of the father and real uncle of the petitioner.

6. In light of the above, the impugned order is quashed and set aside and the matter is remitted back to the Committee to be decided alongwith proceedings that are reopened in respect of the validity of the father and real uncle of the petitioner.

7. The petitioner shall appear before the committee on 18.06.2019. The committee shall after re-appreciating the documents shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously. Considering the fact that the petitioner is a student and

seeking admission to the vocational course, the committee shall endeavour to decide the same before 05.07.2019. The petitioner, so also the father and paternal uncle shall also cooperate in expedite disposal of the same. The present petition is filed by the petitioner through his father. In view of that, the father of the petitioner is aware of the next date.

8. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/June-19