

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

51 WRIT PETITION NO.10587 OF 2018
WITH CA/2724/2019 IN WP/10587/2018

SYED SAKHAVAT SYED SAIDU
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner :Mr. Quadri Taher Ali
AGP for Respondents State: Mr. P.S.Patil

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 25th February, 2019

PER COURT :

1. The petitioner's caste claim as belonging to N. T., Garudi is invalidated on the ground that there is absolutely no evidence on record.
2. The petitioner has filed Civil Application No. 2724/2019. The petitioner contends in the said civil application that school record of real brother of the petitioner refers caste as Garudi so also in the Nikahanama of the petitioner of the year 1996 refers caste as Garudi. Translated copy is produced on record however, affidavit of the translator is not on record.
3. He have heard learned AGP also.
4. Vigilance Cell will have to verify genuineness

of the documents. The petitioner was not possessing evidence before the Committee. However, considering the two more documents produced by the petitioner, we are inclined to grant one more opportunity to the petitioner.

5. In view of above, the impugned order is quashed and set aside.

6. The parties are relegated before the Committee. The parties shall appear before the committee on 11.03.2019 and may produce the relevant documents on record. The committee may refer the said documents to the vigilance and verify its genuineness. The Committee shall decide the claim of the petitioner, on its own merits, expeditiously, preferably within three months from the date of appearance of the parties.

7. In view of disposal of the writ petition, civil application also stands disposed of.

(A. M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

JPC