

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4819 OF 2019

Shri Ravindra Satappa Dhere and Ors. ... Petitioners

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Tanaji Mhatugade for the petitioners.

Mr. Prashant Bhavake for respondent no. 3.

Ms. K.N. Salunkhe, AGP for respondent nos. 1 and 2.

**CORAM : B.P. DHARMADHIKARI &
SANDEEP KASHINATH SHINDE, JJ.**
DATE : AUGUST 30, 2019

P.C.:

Heard learned counsel for the petitioners, learned AGP for respondent nos. 1 and 2 and learned counsel for respondent no. 3.

2. Petitioner challenges caste validity given to respondent no. 3 by respondent no. 2 committee vide order dated 14/4/2018. The effort of the petitioner is to show that the reliance upon census document of Karveer taluka is irrelevant because the document is issued in July, 1964. The other contention is relationship with Hari Bhiva Mulik is not established.

3. Perusal of the order of Scrutiny committee itself shows that after receipt of the report of Vigilance Committee, notice as per

rule 17(11) in form 25 was served upon respondent no. 3. Respondent no. 3 replied to it.

4. The Committee has thereafter looked into that reply as also the objection raised by the present petitioner. The Committee has found that the respondent no. 3 has proved his relationship with Hari Bhiva Mulik and the said person is cousin grandfather of the petitioner. Hari Bhiva Mulik is born in the year 1916 and he had taken admission in school in the year 1922. There in school record his caste has been shown as Hindu Kunbi. The Committee has also recorded that respondent no. 3 has through revenue records established his relationship with the said person.

5. Petitioner has submitted that the admission register appears to be interpolated. The photocopy (coloured) produced by the petitioner at Exh. G is perused by us. The entry at Sr. No.14, records the name of Hari Bhiwa Mulik. There between the words Hindu and Kunbi “-” has been placed. It does not show any interpolation. Similarly “-” appears in other entries on that page and on subsequent pages.

6. The census document issued in July, 1964 is as per census conducted in 1961 and there the name of child born is recorded as Anandi and name of father is recorded as Yesba Bhiva Mulik. How this document or entry becomes irrelevant because it is issued in 1964 has not been explained. Respondent no. 3 has

relied upon the said document only to trace out relationship. We therefore, do not see any jurisdictional error or perversity. Petition is rejected.

(SANDEEP KASHINATH SHINDE, J.) (B.P. DHARMADHIKARI, J.)