

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.990 of 2019**

Kailas Pradhan KunjirPetitioner
versus
The State of Maharashtra and ors.Respondents

Mr. Ganesh Bhujbal, advocate for the petitioner.
Ms. K. R. Kulkarni, AGP for the State.
Mr. Y. S. Jahagirdar, senior advocate with Mr. Mayuresh S. Lagu, advocate
for the respondent No.3.

**CORAM : RANJIT MORE &
SMT. BHARATI H. DANGRE, JJ.**

DATE : 28th JANUARY, 2019.

P. C. :

Heard Mr. Bhujbal, learned counsel for the petitioner and
Mr. Jahagirdar, learned senior counsel for the respondent No.3.

2. The petitioner and respondent No.3 contested the elections of Pimpri Chinchwad Municipal Corporation from OBC category. In this elections, the respondent No.3 got elected. The caste certificate of the respondent No.3 was thereafter sent to the Caste Scrutiny Committee for verification of his caste and the respondent No.2, by its order dated 19th September, 2018, validated the caste claim of the respondent No.3. This order is impugned in this petition which is filed under Article 226 of the Constitution of India.

3. The respondent No.3, in order to claim that he belongs to the Kunbi Caste, relied upon as many as 31 documents and almost all the documents supported the respondent No.3's claim that he belongs to the Kunbi Caste. The petitioner, in this regard, contends that out of these 31 documents, some documents are pertaining to the persons whose names are not shown in the respondent No.3's genealogy. However, the vigilance cell verified and inspected those documents and found that the documents are genuine. The vigilance cell also recorded the statements of some of the persons from the respondent No.3's village, in which, it was revealed that the respondent No.3 belonged to the Kunbi Caste. The Caste Scrutiny Committee also went through the said documents and the report of the vigilance cell and, accordingly, passed the impugned order. We do not find any error or perversity in the impugned order and, therefore, we are not inclined to entertain the petition in exercise of jurisdiction conferred upon this Court under Article 226 of the Constitution of India. The petition is devoid of any merits and the same is, accordingly, dismissed.

[SMT. BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]