

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (W) No.676 of 2019

In

Writ Petition No.835 of 2017 [D]

Rameshwar Vishnupant Umak

Versus

Scheduled Tribe Caste Certificate Scrutiny Committee and others

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri S.S. Ghatge, Advocate with Shri S.D. Khatge, Advocate for the
applicant-petitioner,

Shri N.S. Rao, Assistant Government Pleader for the respondent nos.1
and 5.

Coram : R.K. Deshpande & M.G. Giratkar, JJ.

Date : 05.07.2019.

The claim of the petitioner for 'Dhoba' Scheduled Tribe category was invalidated by the Scrutiny Committee. It seems that two different orders were passed, one on 30.01.2017 and another on 04.02.2017. Both the orders invalidated the caste claim of the petitioner. The petitioner had filed affidavit before the Committee stating that he does not want to pursue his claim for 'Dhoba' Scheduled Tribe.

Writ Petition No.835/2017 filed by the petitioner, challenging both these orders, was dismissed on 28.09.2018. However, this Court directed notice to be issued to the petitioner as well as to the Members

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of the Committee as to why appropriate action should not be taken against them for the lapses on their part. The lapses, as are described in the order, are regarding the passing of two different orders on 30.01.2017 and 04.02.2017 by the Committee Members and the petitioner making claim on the basis of the false documents and caste certificate dated 04.05.1992. The petitioner has already lost his job by virtue of the dismissal of this petition.

In view of the aforesaid factual position, we do not find any reason to proceed further to take action against the petitioner and the Members of the Committee as is contemplated in para 12 of the order dated 28.09.2018. The rest of the order remain intact.

In view of this, the direction given in paragraph 12 of the order dated 28.09.2018 passed in Writ Petition No.835/2017 is recalled. The application thus partly allowed, stands disposed of.

(M.G. Giratkar, J.)

(R.K. Deshpande, J.)