

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

WRIT PETITION NO.5878 OF 2021

Hariprasad s/o. Durgayya Donta,
Age: 20 years, Occ. Education,
R/o. Datta Nagar, Nanded,
Tq. Nanded, Dist. Nanded. **.. PETITIONER**

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai.
2. The Scheduled Caste, Vimukta Jati,
Nomadic Caste, Other Backward Class
and Special Backward Category, District
Caste Certificate Verification
Committee, Nanded
Through its Member Secretary,
Nanded.
3. The Principal,
Government Polytechnic,
Veersavarkar Marg, Babanagar
Nanded, Dist.Nanded. **...RESPONDENTS**

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Mr.Sunil M. Vibhute, Advocate for the
petitioner.
Mrs.V.N.Patil-Jadhav, AGP for the respondent-
State.

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**CORAM: S.V.GANGAPURWALA &
SHRIKANT D.KULKARNI, JJ.
DATE : 06.04.2021.**

ORAL JUDGMENT : [Per : S.V.Gangapurwala, J.]

1] Heard.

2] Rule. With the consent of parties, petition is taken up for final hearing at admission stage.

3] Caste claim of the petitioner claiming to be *Padmashali*, SBC, is invalidated, aggrieved thereby the present Writ Petition.

4] Mr.Vibhute, learned counsel for the petitioner submits that after the judgment is delivered by the Committee, the petitioner could lay hands on old documents; one is service record of his grand-father and another is the service record of his father, the caste in these documents was recorded as '*Padmashali*'. These two old entries could not be placed on record. The petitioner be given opportunity and the matter be remanded back.

5] Learned AGP submits that the Committee has not committed any error while deciding the matter on the basis of available documents. The petitioner was provided with

every opportunity, however, the petitioner did not produce these documents.

6] We have considered the submissions. The matter pertains to social status of the petitioner.

7] Considering the above and the fact that the petitioner could lay hands on old documents, we are inclined to give one more opportunity to the petitioner.

8] In the light of above, the impugned order is quashed and set aside and party is relegated before the Scrutiny Committee. The petitioner shall appear before the Committee on 29.04.2021.

9] The petitioner is at liberty to produce the additional documents. The Committee, if it so desires, may conduct vigilance in respect of the said documents, and thereafter, matter be decided as expeditiously as possible, preferably within six months from the date of appearance.

10] Rule is made absolute in above terms.

11] Writ Petition is disposed of. No costs.

[SHRIKANT D.KULKARNI,J.] [S.V.GANGAPURWALA,J.]

DDC