

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

918 Writ Petition No.11537 Of 2021

Sharad Bhaskar Koli

.. Petitioner

Versus

The State of Maharashtra and Another

.. Respondents

...

Mr S.R. Barlinge, Advocate for the Petitioner

Mrs M.A. Deshpande, Addl. G.P. for the respondent – State

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**CORAM : S. V. GANGAPURWALA AND
R.N. LADDHA, JJ.**

DATE : 14-10-2021

PER COURT :

1. The learned Counsel for the petitioner submits that the petitioner had filed proposal for validation of the caste claim. The petitioner has retired from service. Under misconception the petitioner filed an application that the petitioner does not want to proceed further with the validation proceedings. However, the Committee thereafter on merits negated the caste claim. The petitioner did not put-forth his stand. The learned Counsel submits that it was under the misconception the application was filed by the petitioner. The petitioner be given an opportunity to contest the said proceedings.

2. The learned Addl. Government Pleader submits that the petitioner on his own volition had filed an affidavit before the Committee that he does not want to proceed further with the proceedings. The Committee thereafter has taken a decision. Now, the petitioner cannot turn around and contend otherwise.

3. We have considered the submissions.

4. The matter pertains to the social status of the petitioner. On an application of the petitioner not to proceed with the validation proceedings, the Committee has not dismissed the proceedings in default nor the petitioner has withdrawn it, but on merits the claim is negatived. It appears that because of the application given by the petitioner the petitioner did not put forth his stand. The petitioner now seeks to proceed with the validation proceedings on merits.

5. In light of the above, this Court is inclined to grant one opportunity to the petitioner.

6. The impugned order is quashed and set aside.

7. The parties are relegated before the Committee.

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8. The petitioner shall appear before Respondent No.2 - Committee on 01-11-2021 and put-forth his stand.

9. The Committee shall after hearing the petitioner decide it on its own merits, preferably within six months.

10. Writ petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

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