

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

WRIT PETITION NO. 230 OF 2021

Rahul Sadashiv Dantalwar .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Shri G. K. Naik (Thigale), Advocate for the Petitioner.
Shri S. K. Tambe, A.G.P. for Respondent Nos. 1 and 2.

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

DATE : 28TH OCTOBER, 2021.

FINAL ORDER :

. The caste claim of the petitioner as belonging to 'Padmashali' (Special Backward Class) is invalidated.

2. Mr. Thigale, the learned counsel for the petitioner submits that, the petitioner could not file the affidavit of his near relative Onkar Dantalwar, who has been issued with the validity certificate. The petitioner is presenting said affidavit before this Court. The learned counsel submits that, some of the entries which were there in the file of Onkar could not be produced before the Committee. The learned counsel requests an opportunity be given to the petitioner to prove his claim.

3. The learned Assistant Government Pleader submits that, in the genealogy filed by Onkar, name of the petitioner is not shown as his relative. The relationship of Onkar is not proved. There is no sufficient material on record. The committee has

considered all these aspects.

4. The petitioner has produced affidavit of Onkar in the present petition to contend that he is his paternal relative. The petitioner seeks indulgence of this Court and one more opportunity to place on record additional documents.

5. Considering the fact that, matter involves determination of of social status of the petitioner, we are inclined to grant one more opportunity to the petitioner.

6. In the light of the above, the impugned judgment and order is quashed and set aside. The parties are relegated before the Committee. The petitioner shall appear before the respondent No. 2/Committee on 30th November, 2021. The petitioner is permitted to file additional documents. The committee may thereafter decide the validation proceeding of the petitioner on its own merits, in accordance with law, expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner.

7. In view of the above, the writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]