

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2491 OF 2021

Harsh S/o Rajesh Jadhav

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

Mr. R.K. Mendadkar,a/w Mr. .K. Bhangoji and T.V. Jadhav, for
the Petitioner.

Mrs. P.J. Gavhane AGP for the State-Respondent Nos. 1 and 2.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.**

DATE : 3rd DECEMBER, 2021.

P.C. :-

1. Learned AGP tenders a copy of letter dated 2nd December, 2021 from the Scrutiny Committee to the learned AGP instructing that the Scrutiny Committee would reconsider the decision in respect of the caste claimed by the petitioner and would pass a fresh order. Letter is taken on record and marked "X" for identification.

2. We accordingly pass the following order.

- (a) The impugned order dated 9th March,2021 passed by respondent no. 2 is quashed and set aside.
- (b) Respondent No. 2 shall decide the matter afresh after considering the documents produced by the

petitioner before the Scrutiny Committee including the documents produced by the New English School, Tilak Road, Pune before this Court and also before the Scrutiny Committee.

- (c) The New English School, Tilak Road, Pune, is directed to produce the original record which was produced for consideration of this Court yesterday in respect of Jadhav Jivansingh Mahendrasingh and Jadhav Kamalsingh Mahendrasingh.
- (d) The Scrutiny Committee can refer the matter to Vigilance Cell for making further inquiry in respect of the documents produced by the New English School, Tilak Road, Pune or in respect of any of the documents produced by the petitioner before the Scrutiny Committee before passing the final order.
- (e) The Scrutiny Committee shall decide the matter in accordance with law after giving hearing to the petitioner within 8 weeks from the date of commencement of hearing.
- (f) The Petitioner is directed to remain present before the Scrutiny Committee on 15th December, 2021 at 11.00 a.m. for the purpose of hearing.
- (g) The order that would be passed by the Scrutiny Committee shall be communicated to the petitioner within one week from the date of

passing of the order.

- (h) If the order that would be passed by the Scrutiny Committee is against the petitioner, no coercive action shall be taken against the petitioner for a period of 3 weeks from the date of passing of such order.
- (i) If the Scrutiny Committee is not in a position to commence hearing on the assigned date, the Scrutiny Committee shall inform the convenient date of hearing 3 days in advance to the petitioner.

3. The Writ Petition is disposed of in aforesaid terms. No order as to costs.

4. Parties to act on an authenticated copy of this order.

[ABHAY AHUJA, J.]

[R. D. DHANUKA, J.]