

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

WRIT PETITION NO. 560 OF 2021

Priyanka R. Bhosale

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

Mr. C. K. Bhangoji and Tanaji V. Jadhav i/by R. K. Mendadkar for the
Petitioner.

Mr. A. A. Alaspurkar for the Respondent-State.

**CORAM: R. D. DHANUKA AND
V. G. BISHT, JJ.**

DATE : 5th FEBRUARY, 2021.

P.C. :-

. By this Writ Petition filed under Article 226 of the Constitution of India, the petitioner seeks to impugn the Communication dated 4th March, 2020 issued by the respondent no.2 Scrutiny Committee refusing to accept and entertain the application for verification of caste scrutiny. The petitioner further seeks a declaration that the caste certificate dated 31st October, 2001 issued by the respondent no.3 in the earlier prescribed form is valid, legal and subsisting.

2. By an order passed by this Court today in Writ Petition (St.) No. 5836 of 2020, this Court has already allowed the said Writ Petition with identical facts on hand.

3. Learned AGP fairly states that the order passed by this Court in the Writ Petition (St.) No. 5836 of 2020 would apply to the facts of this case. Statement is accepted.

4. In our view, the order passed by the Scrutiny Committee refusing to entertain the caste certificate dated 3rd September, 2001 is *ex-facie* illegal and not in accordance with law and is accordingly quashed and set aside.

5. The Caste Scrutiny Committee is directed to process the application for caste claim filed by the petitioner on its own merits on the basis of the evidence produced by the petitioner and also after considering the caste certificate dated 3rd September, 2001 which is sought to be re-validated before the Scrutiny Committee. The Scrutiny Committee shall pass an order expeditiously and not later than four months from the date of first meeting. The petitioner is directed to remain present before the Scrutiny Committee on 11th February, 2021 at 11:00 a.m.

6. Writ Petition is allowed in aforesaid terms. No order as to costs.

[V. G. BISHT, J.]

[R. D. DHANUKA, J.]