

Chitra Sonawane

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1394 OF 2019

Ganpat s/o Sakharam Gadage ...Petitioner.
Versus
The State of Maharashtra & Anr. ...Respondents

Mr.Sushant Yeramwar, for Petitioner.
Mr. K. S. Thorat, AGP for the State.

**CORAM : S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : 25th AUGUST, 2022.

P.C. :

1. The Caste certificate of the petitioner as 'Thakar' is invalidated.
2. Amongst other arguments, one of the arguments of the learned Advocate for the petitioner is that after invalidation of the Caste claim, he could lay his hands on the extract of Birth and Death Register of his Uncle namely Madhukar Pandurang Thakar. In the said document his Caste is recorded as 'Thakar'. Said document is of pre-constitutional period. The Petitioner has filed fresh Genealogy to show his relationship.

3. Learned Additional Government Pleader submits that in the Genealogy submitted before the Committee, the Petitioner did not show Madhukar to be son of Pandurang. The vigilance will have to ascertain the genuineness of the Genealogy and the documents produced. It is after ascertaining the genuineness of the documents and the relationship, the matter would be considered by the Committee.

4. Considering the additional documents being placed on record and the fact that the matter involves social status of the Petitioner, we grant one more opportunity to the petitioner.

5. The impugned order is set aside.

6. The Petition is relegated to the Committee for re-considering the case of the Petitioner.

7. The extract of birth and death Register, relied upon by the Petitioner, to show that his Uncle namely Madhukar Pandurang Thakar's Caste is recorded as "Thakar" in the said extract be produced before the Committee.

8. The Petitioner shall appear before the Committee on 08.09.2022.
9. The Committee shall direct the vigilance to ascertain the genuineness of the documents and the relationship of the Petitioner with Madhukar Pandurang Thakar, of whose extract of birth and death Register is relied by the petitioner.
10. The Committee shall decide the proceedings expeditiously.

(MADHAV J. JAMDAR, J.)

(S.V. GANGAPURWALA, J.)

