

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2216 OF 2021

Mr.Mallikarjun Mareappa Walmiky ...Petitioner

Versus

Sub Divisional Officer,
Ulhasnagar, Thane & Ors.Respondents

NILAM
SANTOSH
KAMBLE

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date:
2022.07.22
18:26:21 +0530

Mr.Shailesh A. Chavan for the Petitioner.

Mr.V.M. Mali, AGP for the Respondent-State.

CORAM : S.V. GANGAPURWALA &
S. V. MARNE, JJ.

DATE : 19 JULY 2022

P.C:-

. Rule. Rule made returnable forthwith by consent of parties.

2. The Application filed by the Petitioner for issuance of caste certificate is rejected.

3. The Petitioner filed an Appeal before the Committee. The Committee disposed of the Appeal on the ground that the notification is not issued confirming jurisdiction on it, aggrieved thereby the present Petition.

4. We have heard the learned counsel for the Petitioner and the learned AGP.

5. The Application filed by the Petitioner for issuance of caste certificate as belonging to Valmiki-Scheduled Caste, is rejected only on the ground that the Petitioner has failed to produced documents prior to 1950.

6. Time and again this Court has reminded the authority that only because the documents prior to the year 1950 are not produced, the Application may not rejected on the said ground and all other documents placed on record has to be considered.

7. It is trite that at the time of the issuance of caste certificate long drawn enquiry is not contemplated, prima facie satisfaction of the authority is sufficient. Even otherwise caste certificate has to undergo the acid test during validation proceedings before the Committee.

8. In the present matter it is stated that on 17 November 2021 validity certificate has been issued by the District Caste Certificate Scrutiny Committee, Thane to the son of the Petitioner namely Pravin Mallikarjun Walmiky.

9. In light of the above, the impugned orders are quashed and set aside. We direct the authority to issue caste certificate to the Petitioner of Valmiki-Scheduled Caste in a proper form preferably within three weeks.

10. Rule accordingly made absolute. No costs.

(S.V. MARNE, J.)

(S.V. GANGAPURWALA, J.)