

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2469 OF 2012
WITH
INTERIM APPLICATION NO.2429 OF 2020
WITH
CIVIL APPLICATION NO.154 OF 2020

Shri.Atul Anil Surve

...Petitioner

Versus

The State of Maharashtra & Anr.

...Respondents

NILAM
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Shri.S.A. Ghaisas a/w Mr.R.K. Pandit for the Petitioner.
Mrs.M.P. Thakur, AGP for Respondent-State.

CORAM : S.V. GANGAPURWALA &
S.M. MODAK, JJ.

DATE : 7 JULY 2022

P.C:-

. The caste claim of the Petitioner belonging to
'Thakur-Scheduled Tribe' is invalidated.

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

3. Amongst other submission, one of the submission of
the learned counsel for the Petitioner is that before the
Committee he could not produce old documents of the paternal

relatives. The copies which are produced in the present writ petition are the documents viz. the birth record of the paternal aunt of the Petitioner namely Chandri (Chandrabhaga) d/o Atmaram Surve, of the year 1928. It is submitted that in the said document the caste is recorded as 'Thakur'. The other is Revenue Record in the name of the grandfather wherein the caste is recorded as 'Thakur'.

4. According to the learned AGP the Committee has considered all the documents which are produced before it and arrived at the conclusion and the contra evidence is also considered.

5. Considering that the Petitioner has placed on record some additional documents which will require investigation by the vigilance and the fact that the matter involves the social status of the Petitioner, we are inclined to grant one more opportunity to the Petitioner to place the documents before the Committee. In the result, we pass the following order.

ORDER

(i) The impugned order is quashed and set aside.

(ii) The Petitioner shall appear before the Committee on 1 August 2022 and may place before the Committee the documents on which the

Petitioner is relying.

(iii) The Committee may direct vigilance to be conducted in respect of the said documents. The Committee, thereafter, shall decide the caste validation proceedings afresh considering all the documents on record. The decision shall be taken preferably within three months from the date of appearance of the Petitioner.

6. Writ Petition disposed of. No costs.

(S.M. MODAK, J.)

(S.V. GANGAPURWALA, J.)