

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

WRIT PETITION NO.3799 OF 2017

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Surajsing Savaising Rajput

..... Petitioner

Vs.

State of Maharashtra and Ors.

..... Respondents

Mr.Ravi Shinde for the Petitioner

Mr.N.K.Rajpurohit, A.G.P. for the State / Respondent nos.1 and 2

Mr.Rhishikesh Pethe for Respondent nos.3 and 4

**CORAM: S.V.GANGAPURWALA, ACJ &
S.G.CHAPALGAONKAR, J.**

DATED : DECEMBER 15, 2022

P.C.

1 We have heard the learned Counsel for the Petitioner and the learned A.G.P.

2 The caste claim of the Petitioner as belonging to Rajput - Bhamta has been negated on the ground that the father or the forefather of the Petitioner was not residing in the State of Maharashtra prior to the notified date in the year 1961.

2 The learned Counsel for the Petitioner points out the service book wherein his residence is mentioned as Gangapur - Hyderabad and the date of birth is 02.09.1930. The discussion with regard to

the said document does not appear in the order. Moreover, the Petitioner has placed on record additional documents i.e. copy of his service book with the Pune Municipal Corporation. The said service book suggests that the father of the Petitioner was appointed with the Pune Municipal Corporation in the year 1950. Those documents would be relevant in case the Petitioner proves the said documents to be genuine.

3 Considering that the matter pertains to the social status of the Petitioner, we are inclined to grant one more opportunity to the Petitioner. The Petitioner seeks to produce the service record of his father with the Corporation and also the driving license issued to the father of the Petitioner in the year 1954. In fact those documents are within the knowledge of the Petitioner. The Petitioner ought to produce the documents with the Committee. However, we are granting one more opportunity to the Petitioner. The Petitioner also deserves to be mulct with costs.

4 In light of that, we pass the following order

- a. Impugned order is set aside on the condition that the Petitioner pays cost of Rs.20,000/- with the Committee within a period of four weeks from today.

- b. If cost is paid as directed, Petitioner is permitted to file additional documents.
- c. Committee may conduct vigilance in respect of those documents and may also consider about the residence of the father of the Petitioner prior to 1961 within the State of Maharashtra depending upon the Vigilance Report.
- d. Petitioner shall appear before the Committee on 13.01.2023.
- e. Writ Petition is accordingly disposed of. No costs.
- f. The Committee may endeavour to decide the matter expeditiously.

(S.G.CHAPALGAONKAR, J.)

(ACTING CHIEF JUSTICE)