

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1687 OF 2021

Prasanna Nandkumar Hegishte ...Petitioner

V/s.

State of Maharashtra & Ors. ...Respondents

Mr. Chintamani K. Bhangoji for the petitioner.

Mr. Kedar Dighe, AGP for respondent nos. 1 to 3
(State).

Mrs. Sunita Mate, Research Officer, is present.

Mr. Milind Patil, Law Officer, is present.

Mr. Rajendra D. Raut, Accounts Officer
(Establishment), is present.

**CORAM: DIPANKAR DATTA, CJ &
M. S. KARNIK, J.**

DATE: AUGUST 30, 2022

P.C.:

1. This writ petition challenges an order dated 15th February, 2021 passed by the District Caste Certificate Scrutiny Committee, Mumbai City (hereafter "the Committee", for short). The operative part of the order reads as follows:

"The caste claim of the applicant Shri Prasanna Nandkumar Hegishte as belonging to Vaishyawani (Other Backward Class) is rejected and the caste certificate bearing no. SETU/CC/G/N/ 80772/2009 Mumbai City dated 18/1/2010 issued to him by the Deputy Collector, Mumbai City is invalidated, cancelled and confiscated to the Government."

2. Mrs. Sunita Mate, Research Officer; Mr. Milind Patil, Law Officer and Mr. Rajendra D. Raut, Accounts Officer (Establishment), officers attached to the Committee, are present in Court. They have instructed Mr. Dighe, learned AGP appearing for the State to submit before us that the Committee is prepared to re-consider the petitioner's caste validity claim and that the order impugned in this writ petition may be set aside.

3. In view of such submission, we see no reason to enter into the merits of the petitioner's claim. The impugned order dated 15th February, 2021 stands set aside with a direction upon the Committee to proceed in accordance with law and decide the caste validity claim of the petitioner within a period of six (6) months from date.

4. In the event the petitioner's claim is granted, he shall be at liberty to move his employer for reinstatement in service. We have no doubt that in such an event, appropriate action in accordance with law shall follow.

5. The writ petition stands disposed of accordingly. No costs.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)