

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.2365 OF 2022

Prashant S/o Shankar Dandge,
Aged about 48 years,
Occu. Service, R/o. Dhad,
Tq. and Distt. Buldana. **PETITIONER**

...V E R S U S...

1. State of Maharashtra, through its
Secretary, General Administration
Department, Mantralaya, Mumbai.
2. Maharashtra Jeevan Pradhikaran
Mandal, through its Superintending
Engineer/Chairman Parimandal Samit,
Nagpur.
3. Superintending Engineer,
Maharashtra Jeevan Pradhikaran
Mandal, Akola.
4. Executive Engineer,
Maharashtra Jeevan Pradhikaran Division,
Buldana.
5. Scheduled Tribe Caste Scrutiny Committee,
Amravati through its Member Secretary,
Irwin Chowk, Amravati. **RESPONDENTS**

Mr. R. D. Karode, Advocate for Petitioner.
Mrs. K. R. Deshpande, Assistant Government Pleader for
Respondent Nos.1 to 5/State.

CORAM: **A.S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.**
DATE: **30th JUNE, 2022.**

ORAL JUDGMENT: (PER. A.S. CHANDURKAR, J.)

Rule. Rule made returnable forthwith and heard the learned counsel for the parties.

2. The petitioner is aggrieved by the rejection of his caste certificate dated 28.09.1993 by the Scrutiny Committee for the reason that the caste certificate as furnished was not in accordance with Form 'C' of the Maharashtra Scheduled Tribes (Regulation of Issuance and Verification of) Certificate Rules, 2003.

3. The learned counsel for the petitioner referred to the decision in *Writ Petition No.1542/2022 (Umesh Pralhad Lokhande Vs. State of Maharashtra and Ors.) decided on 04.04.2002* wherein it was held that verification of a caste certificate issued prior to the Rules of 2003 cannot be refused on the ground that the caste certificate was not in Form 'C'. We find that the ratio of the said judgment is applicable to the present case, since the petitioner was issued his caste certificate on 28.09.1993. Accordingly, the online rejection of the petitioner's prayer for verification dated 03.06.2021 is set aside. The Scrutiny Committee shall examine the petitioner's caste certificate dated 28.09.1993 in accordance with law.

4. The writ petition is allowed with no order as to costs.
5. Till the verification of the caste certificate by the Scrutiny Committee is completed the services of the petitioner shall not be disturbed for want of validity certificate.

JUDGE

JUDGE

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