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

WRIT PETITION NO.3399 OF 2020

Sushilkumar s/o Ramlalsingh
Thakur, age 41 years,
Occupation service, r/o Mata Toli,
Rajendra Ward, Gondia,
Ta. and district Gondia. **Petitioner.**

:: V E R S U S ::

1. State of Maharashtra, through its
Secretary, Social Welfare & Social
Assistance Department,
Mantralaya, Mumbai-32.

2. District Caste Certificate Scrutiny
Committee, Nagpur, through its
Member Secretary, Dr.Babasaheb
Ambedkar Social Justice Bhavan,
Second Floor, Shraddhanandpeth,
Deekshabhoomi Road, Nagpur.

3. The Superintendent of Police,
Gondia, district Gondia. **Respondents.**

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Shri Shankar Borkute, Advocate for the Petitioner.
Shri D.P.Thakare, Additional Government Pleader for the
Respondents.
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CORAM : **A.S.CHANDURKAR & URMILA JOSHI-PHALKE, JJ.**
DATE : **19/7/2022**

ORAL JUDGMENT (Per : A.S.Chandurkar, J.)

1. Heard Shri Shankar Borkute, learned Advocate for the
petitioner and Shri D.P.Thakare, learned Additional Government
Pleader for the respondents. **Rule.** Rule made returnable forthwith.

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Heard finally by consent of learned counsel for the parties.

2. The challenge raised in this writ petition is to the order dated 30.7.2019 passed by the Scrutiny Committee thereby refusing to consider the petitioner's Caste Certificate for verification. The petitioner belongs to 'Rajput Bhamta' and he had made Online application seeking verification of his caste claim. According to the Scrutiny Committee, the documents prior to 1961 were not annexed to the proposal.

3. The learned counsel for the petitioner submits that the documents of the years 1916 and 1956 are available with the petitioner. These documents would be relied by the petitioner while seeking verification of his caste certificate.

4. In that view of the matter, the order dated 30.7.2019 is set aside. The petitioner is permitted to make a fresh application seeking issuance of Validity Certificate in terms of the Caste Certificate as issued. The petitioner can rely upon the old documents prior to 1961 in support of his claim. If such claim is made by the petitioner in the prescribed form, the Scrutiny Committee shall verify the petitioner's caste claim in accordance with law and after giving due opportunity to the petitioner within a period of one year from receipt of such application. Till the

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proceedings are decided by the Scrutiny Committee, the services of the petitioner shall not be disturbed only on account of absence of the Validity Certificate.

5. With these directions, the writ petition is allowed and disposed.

6. Rule is made absolute in the aforesaid terms with no order as to costs.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

!! BrWankhede !!

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