

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

**WRIT PETITION NO. 1392 OF 2022**

Roshni w/o Devidas Adagale and another.

..PETITIONERS

**VERSUS**

The District Caste Scrutiny Committee,  
through its Chairman, Nagpur.

..RESPONDENTS

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Shri Abdul Subhan, Advocate for petitioners.

Shri N.R.Patil, Assistant Government Pleader for respondent.  
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**CORAM :- A.S.CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.**

**DATE :- JULY 06, 2022**

**PC.**

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

2. The petitioners are aggrieved by the order dated 30.03.2021 passed by the Scrutiny Committee invalidating the claim of the petitioners of belonging to 'Mang' Scheduled Caste. It is the case of the petitioners that they were deprived of due and proper opportunity to put-forth their case before the Scrutiny Committee when the same was considered. In paragraph 10 of the writ petition, it has been pleaded that after the order was passed by the Scrutiny Committee, some more documents were traced by the petitioners. The petitioners also seek to rely upon the validity certificate issued in favour of a close relative.

3. We have perused the records of the proceedings and it is seen that various documents filed alongwith the writ petition were not placed by the petitioners before the Scrutiny Committee. Since the

petitioners were not in a position to pursue their claim in a satisfactory manner before the Scrutiny Committee and as the petitioners now claim that a close relative has been issued a validity certificate, we find that an opportunity to justify the caste claim deserves to be granted to the petitioners.

4. Hence to enable that exercise to be undertaken, the order dated 30.03.2021 passed by the Scrutiny Committee is set aside. It is made clear that this Court has not examined the correctness of the reasons mentioned in that order and the same has been set aside to enable the Scrutiny Committee to consider further documents which the petitioners desire to place on record. The petitioners shall accordingly appear before the Scrutiny Committee on **01.08.2022** with all original documents. The Scrutiny Committee shall consider the claim of the petitioners in accordance with law after giving them due opportunity. All questions are kept open.

Rule accordingly. No costs.

( URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

*Andurkar..*