

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

950 WRIT PETITION NO. 1341 OF 2019

ASHWINI VENKATRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. S.M. Vibhute
h/f. Mr. Patil Sham B.
AGP for Respondent Nos. 1 to 3 : Mr. A.A. Jagatkar
Advocate for Respondent No. 4 : Mr. S.S. Rathi
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 24 AUGUST 2023

PER COURT :

Heard.

2. The petitioner is challenging invalidation by the respondent no. 3 – District Caste Scrutiny Committee, invalidating her claim as belonging to ‘Lingayat Wani’.

3. We have heard both the sides for a while.

4. It appears that the Committee has referred to certain entries which according to it are contrary entries, but has also ignored the entries which are apparently favourable.

5. The petitioner was relying upon the certificate of validity of Prathmesh Sheshrao, who is her third degree cousin blood relation from

the paternal side. The Committee has discarded it by saying that the genealogy is not produced.

6. Learned Advocate for the petitioner submits that subsequently, petitioner's real paternal aunt Kanta Babarao Morale has been issued with a certificate of validity as 'Wani (190)' on 09 March 2022. He submits that irrespective of anything else, even the petitioner is entitled to derive the benefit of this subsequent validation of a similar claim put up by her paternal aunt.

7. Since it is a matter of social status which goes with the blood relations on the paternal side, the request of the petitioner for remanding the matter to the Committee for decision afresh can easily be accepted.

8. We allow the Writ Petition partly, quash and set aside the impugned order and remit the matter back to the Scrutiny Committee, for decision afresh by extending the petitioner an opportunity to produce the documents and lead additional evidence.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]