



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2375 OF 2020

Ankush s/o Gangadhar Shikre

... Petitioner

VERSUS

1. State of Maharashtra
through the Secretary,
Social Welfare, Social Justice and
Social Assistance Department
Mantralaya, Mumbai - 32.
2. The President, District Caste
Certificate Verification Scrutiny
Committee Hingoli

... Respondents

...

Advocate for petitioner : Mr. Sontakke Sandeep B

AGP for respondent/State : Mr. S.V. Hange

...

CORAM : **MANGESH S. PATIL &
NEERAJ P. DHOTE, JJ.**

DATE : **11.12.2023**

PER COURT:

Heard both the sides for a while. The petitioner's claim of belonging to caste "Hatkar" NT(C) has been rejected by the committee by the order under challenge.

2. The learned advocate for the petitioner submits that the petitioner could recover some old record in the form of record of rights, wherein, the ancestor has been described as belonging to Hatkar tribe and also could recover the school record of the grandfather, wherein, he was described as Hatkar. He submits that both these documents are preconstitutional documents and would carry greater probative value.

The Committee had not extended the petitioner sufficient opportunity and he requests for remand of the matter with leave to file documents before the Committee.

3. Since the issue is regarding social status, one cannot address it as if it is an adversarial matter. If the petitioner now possess some additional evidence he is entitled to have it placed before the scrutiny which can undertake a fresh scrutiny of his matter.

4. The writ petition is partly allowed. The impugned order is quashed and set aside. The petitioner shall appear before the Committee on 15.12.2023 and the committee thereafter shall decide the proposal as expeditiously as possible and in any case within two months.

(NEERAJ P. DHOTE, J.)

(MANGESH S. PATIL, J.)

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