

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

916 WRIT PETITION NO.8841 OF 2023

**BABURAO LACCHANNA ODHHIWAR  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND  
OHTERS**

...

Advocate for Petitioner : Mr. V. P. Latange  
AGP for Respondents State: Mr. S.W. Munde  
Advocate for Respondent No.5 : Mr. S. B. Pulkundwar

CORAM : RAVINDRA V. GHUGE, &  
Y. G. KHOBRAGADE, JJ.

DATE : 26th July, 2023

**ORDER:**

1. We had heard the learned Advocate for the petitioner on 25.07.2023 and posted the matter today to enable the learned AGP to take instructions.

2. The grievance of the petitioner is that Respondent Nos. 8 and 9, who are the sons of respondent No.7, are still in employment though the validity certificate of their father i.e. Respondent No.7 has been invalidated in a re-hearing.

3. The learned AGP submits that the validity certificates earlier issued to Respondent Nos. 8 and 9 are intact and there has been no challenge to the same. Based on the said certificates, they may be in service.

4. The learned Advocate for the petitioner submits that he would resort to the mechanism prescribed under section 7 of the Maharashtra Scheduled Caste, Scheduled Tribes, Den-notified Tribes (Vimukta Jaties), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 and this petition can be disposed off.

5. In view of the above, **this petition is disposed off** as the petitioner desires to avail of the remedy under the Act of 2000.

6. Insofar as Writ Petition No. 3351 of 2015 filed by Respondent No.7 is concerned, this Court had recorded in its order dated 29.03.2022 that no interim relief is granted to the petitioner. Subsequently, the petition has been dismissed in default. Hence, there is no impediment for the competent authority to initiate steps under section 10 of the 2000 Act by following the due procedure laid down in law.

( Y. G. KHOBRAGADE, J. )

( RAVINDRA V. GHUGE, J. )

JPChavan