

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5854 OF 2023

Kum. Peeyoosh Pravin Waghela ... Petitioner

Versus

State of Maharashtra, through its Secretary, Social ... Respondents
Justice and Special Assistance Dept. & Anr.

Mr. Chintamani K. Bhangoji for the petitioner.

Mr. A.A. Alaspurkar, AGP for the State.

CORAM: G. S. KULKARNI
& R.N. LADDHA, JJ.
DATED: 24 April, 2023

P.C.

1. Not on board. Upon mentioning, taken on board on a praecipe as moved on behalf of the petitioner.
2. The petitioner is a student. He was issued caste certificate by the Deputy Collector, Ratnagiri on 29 June, 2015. To pursue higher education, the petitioner applied to respondent no. 2-District Caste Certificate Scrutiny Committee, Ratnagiri on 9 November, 2021 for grant of Caste Validity Certificate. The case of the petitioner is that the said application is still pending and has not been decided by respondent no. 2-District Caste Certificate Scrutiny Committee. The petitioner hence has filed the present petition. The only prayer as made by the petitioner in this petition is as under:

(a) This Hon'ble Court be pleased to issue Writ of Mandamus and/or any other Writ, Order or Direction in the nature of Mandamus thereby directing the respondent no. 2-Scrutiny Committee to decide the application/proposal dated 9 November, 2021 filed by the petitioner for grant of Caste Validity Certificate as belonging to Bhangi, Scheduled Caste on or before 17 May, 2023 in accordance with law."

3. It is submitted by the learned counsel for the petitioner that the next academic year commences from June, 2023 and to enable the petitioner to pursue further education, it would be necessary that the caste validity certificate is issued to him at the earliest, if so eligible.
4. In the above circumstances, we dispose of the petitioner by directing respondent no. 2-District Caste Certificate Scrutiny Committee to decide the application of the petitioner dated 9 November, 2021 in accordance with law within a period of four weeks from today. All contentions of the parties are expressly kept open.
5. The petitioner at the first instance is directed to appear before the Caste Scrutiny Committee on 27 April, 2023 at 11 a.m.
6. Disposed of in the above terms. No costs.
7. Parties to act on the authenticated copy of this order.

(R.N. LADDHA, J.)

(G. S. KULKARNI, J.)