

jvs

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

SALUNKE
J V

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WRIT PETITION NO. 523 OF 2020

Firoj Mahamadhanif Tamkar	}	Petitioner
Versus		
State of Maharashtra & Ors.	}	Respondents

Mr. Kalpesh Patil for the petitioner.

Ms. R. A. Salunkhe, AGP for State.

**CORAM: S. V. GANGAPURWALA, Act.CJ.&
SANDEEP V. MARNE, J.**

DATE: APRIL 5, 2023

P.C.:

- 1.** The petitioner had filed validation proceedings before the Scrutiny Committee seeking validity certificate of Kasai-Other Backward Class (OBC). The claim is invalidated.
- 2.** The learned advocate for the petitioner submits that the petitioner could subsequently lay his hands on the copy of the *Siyahnama* in respect of the petitioner, wherein his occupation is recorded as Kasai. The said document is of the year 2006. The learned advocate submits that one more opportunity may be given to the petitioner to prove his claim.
- 3.** We have heard the learned AGP.
- 4.** The caste claim of the petitioner is invalidated basically on the ground that documents were not placed on record to substantiate the claim of the petitioner as belonging to Kasai-OBC. Today the learned advocate for the petitioner has placed on record copy of his *Siyahnama*, wherein the occupation is mentioned as Kasai. The said document is of the year 2006.

5. Considering that the matter involves the social status of the petitioner, we are inclined to grant one more opportunity to the petitioner to produce the said document before the Scrutiny Committee.

6. In view of the above, we pass the following order: -

- (i) The impugned order is quashed and set aside.
- (ii) The parties are relegated before the Scrutiny Committee.
- (iii) The petitioner shall appear before the Scrutiny Committee on 24th April 2023. The petitioner is permitted to file on record additional documents.
- (iv) The Scrutiny Committee shall conduct vigilance in respect of the additional documents filed by the petitioner and shall decide the proceedings afresh on merits and in accordance with law expeditiously, preferably within 6 (six) months from the date of appearance of the petitioner.

7. With the aforesaid directions, the writ petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)