



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

WRIT PETITION NO. 3268 OF 2024

SAMRUDDHI MAHAVIR ANNADATE

VERSUS

1. THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY
2. THE DISTRICT CASTE CERTIFICATES
SCRUTINY COMMITTEE, AHMEDNAGAR

...

Advocate for Petitioner : Mr. Balaji Laxmanrao Sagar

AGP for Respondents/State : Mr. R.S. Wani

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

DATE : 3 JULY 2024

PER COURT :

. Heard both the sides.

2. The petitioner is aggrieved by the decision of the Scrutiny Committee thereby invalidating his Jain Shimpi caste (OBC-153) certificate.

3. Learned advocate for the petitioner submits that though initially the petitioner was relying upon the validity of one Shubham Dayanand, subsequently he could trace that the other blood relatives from the paternal side also possess a certificate of validity, namely Abhishek Sanju, Pragati Pradeep, Saurabh Kishor and Rushab Kishor.

Since these validities were not available for being relied upon, the petitioner may be granted an opportunity to once again go before the Scrutiny Committee to enable him to lead additional evidence in the matter may be remanded.

4. Though *ex facie* the genealogy that was furnished by the petitioner before the Scrutiny Committee alongwith the affidavit and the one annexed to the petition at Exhibit-B to some extent do not tally, it cannot be apparently said that these are incompatible. One Jairam Annadate has been consistently shown as a common ancestor. He was survived by two sons, Maroti and Ganpat which apparently tallies with the genealogy that was before the Committee and the one presented before us. The petitioner is from the branch of Maroti Jairam, whereas validity holders are from the branch of Ganpat Jairam.

5. This being a claim for social status in order to derive the benefit, the decision of the Committee and the present challenge cannot be looked upon as an adversarial litigation. If the petitioner is now armed with several validities stated to be of the blood relatives, it would be appropriate that the Committee is called upon to consider the proposal afresh by permitting him to lead additional evidence. That would also enable the Scrutiny Committee, if it so thinks fit to resort to vigilance inquiry as well, in the light of the additional documents being produced by the petitioner.

6. The writ petition is partly allowed. The impugned order is quashed and set aside.

7. The matter is remanded back to the respondent no.2/Scrutiny Committee for decision afresh by extending an opportunity to the petitioner to lead additional evidence, and if it things fit by resorting to further vigilance inquiry.

8. The petitioner shall appear before the Scrutiny Committee on 15.07.2024.

9. The Committee shall decide the proposal as expeditiously as possible and in any case within two months from the date of appearance.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

Najeeb..