



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2287 OF 2024

Satish s/o Harsing Jarwal

.. Petitioner

Versus

District Caste Certificate Scrutiny
Committee & others

.. Respondents

Mr. M. S. Deshmukh, Advocate for the Petitioner.
Mr. S. K. Tambe, AGP for the State.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 29th FEBRUARY, 2024.

PER COURT :

1. The Petitioner has put forth prayer clauses 'A', 'B' and 'C'
as under :-

*A) Issue writ of Certiorari and/or other appropriate
Writ or Order in the like nature, thereby quash and set-
aside impugned order, invaliding Caste Claim of petitioner
being "Rajput Bhamta" (Vimukta Jati) passed by
respondent no. 1 - Scrutiny Committee, Jalna dtd
6.2.2024.*

*B) Hold and Declare that, the petitioner belongs to
"Rajput Bhamta" (Vimukta Jati) and to that effect direct
the respondent no. 1 - Scrutiny Committee, Jalna to*

forthwith issue Caste Validity Certificate in favour of petitioner in prescribed form within stipulated period.

C) Grant Stay to the effect, operation and implementation of impugned order passed by respondent no. 1 – Scrutiny Committee, Jalna dtd. 6.2.2024, pending hearing and final disposal of instant petition.

2. We have heard the submissions of the learned Advocates for respective sides for some time and perused the petition paper book with their assistance.

3. It cannot be disputed that if the Petitioner establishes his blood relations with the validity holders from the paternal family, namely Suraj Shamsing Jarwal, Sanjay Vitthalrao Jarwal and Indelsingh Kappusing Jarwal, the conclusions drawn by the Hon'ble Supreme Court in paragraph Nos. 22, 23 and 24 of Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti vs. The State of Maharashtra and others, **2023 SCC OnLine SC 326**, would support the case of the Petitioner.

4. What is canvassed before us is that the father of the Petitioner namely Harsingh Ramlal Jarwal is the biological brother of

Sandu Ramlal Jarwal, whose grand son Suraj Shamsing Jarwal has a validity certificate. The father of Harsing and Sandu, is Ramlal Devaji Jarwal. Shivlal Devaji Jarwal is the biological brother of Ramlal. The grand son of Shivlal, namely Indelsing Kappusing Jarwal and another grand son of Shivlal, namely Sanjay Vitthalsing Jarwal have validity certificates. Vitthalsing Shivlal Jarwal and Kappusing Shivlal Jarwal are said to be the biological sons of Shivlal. The reason for rejection of the Petitioner's claim vide the impugned order is that such blood relations were not established.

5. In view of the above, **this Writ Petition is partly allowed** only for the purpose of permitting the Petitioner an opportunity to prove his relationship with the validity holders. The impugned order dated 6th February, 2024 is quashed and set aside and the proceedings are remitted to the office of the competent Committee. The Petitioner shall appear before the competent Committee on 13th March, 2024 at 12.00 noon and would participate in the proceedings whole heartedly.

6. For easy correspondence, the Petitioner submits his email id as under :-

satishjarwal@gmail.com

The correspondence by the authority/Committee with the Petitioner on the email id, shall be considered as proper service. Let the proceedings be concluded on or before 30th June, 2024.

7. To balance the equities and since the Petitioner's employment is to be protected, we direct the Petitioner to tender an affidavit undertaking in this Court, as well as submit a copy to the employer/Respondent No. 3, within 30 days from today, setting out therein that he would not claim increments, pay revision, promotion or service benefits, etc. until his claim is validated. In the event, the Committee delivers an adverse order, the said order shall not be effected for a period of 30 days, keeping in view that the Petitioner is tendering an affidavit.

(R. M. JOSHI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

dyb