



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.4442 OF 2023

PETITIONER : Harsh Rajkumar Shriwas,  
a/a 19 yrs, Occu – student, R/o 17,  
Gurukrupa Coloney, Near Dental  
College, Amravati.

..VERSUS..

RESPONDENT : The Chairman,  
District Level Caste Certificate Scrutiny  
Committee, Amravati.

WITH

WRIT PETITION NO.4507 OF 2023

PETITIONER Kartik Naresh Shriwas,  
a/a 20 yrs, Occu – student, R/o 17,  
Gurukrupa Coloney, Near Dental  
College, Amravati.

..VERSUS..

RESPONDENT The Chairman,  
District Level Caste Certificate Scrutiny  
Committee, Amravati.

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Mr R. R. Rathod, Advocate for Petitioners.  
Mr A. M. Ghogare, AGP for Respondent/State.

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CORAM : VINAY JOSHI AND M. W. CHANDWANI, JJ.

DATE : 3<sup>rd</sup> AUGUST, 2024.

ORAL JUDGMENT : (PER : VINAY JOSHI, J.)

. Rule. Rule made returnable forthwith. Heard finally  
with consent of learned counsels appearing for the parties.

2. Petitioners in both petitions are real cousin brother, whose caste claim for the caste of “Nhavi” coming under Other Backward Class has been rejected by the respondent – Scrutiny Committee. It reveals from the impugned orders dated 12.07.2022 that only on the basis that the petitioners’ forefather was not resident of Maharashtra State prior to cut-off date i.e. 13.10.1967, the caste claim was declined. It reveals from the impugned orders itself that petitioners’ claimed before the Committee that their grandfather was resident of State of Maharashtra from the year 1955, as he joined police services in the Maharashtra. The petitioners have tendered a copy of service book of their grandfather to substantiate said contention.

3. The impugned orders though bare a reference to that extent, however, Committee has not considered the vital document i.e. copy of service book of petitioners’ grandfather. It is not clear whether said document was tendered before the Committee, which was crucial to decide the issue. Since the caste claim was rejected solely on the said ground, we deem it appropriate that Committee shall reconsider the entire material

including service book of petitioners' grandfather and to take a fresh decision in accordance with law.

4. In view of above, both impugned orders dated 12.07.2022 are hereby quashed and set aside. The matter is remitted back to the Committee for fresh consideration. Both petitioners are permitted to tender a copy of service book of their grandfather as well as other document, if any, in support of their case. The Committee shall decide the petitioners' caste claim a fresh within three months from the date of a communication of this order.

5. Rule is made absolute in the aforesaid terms. No order as to costs.

6. We direct the Committee to act accordingly.

(M. W. CHANDWANI, J.)

(VINAY JOSHI, J.)

TAMBE