

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4305 OF 2021

Sagar Vasant Mane

.....Petitioner

Vs.

The State of Maharashtra & Anr.

.....Respondents

Ms. sonali Chavan i/b Dr. Uday P. Warunjikar, for the Petitioner.

Mrs. Tanu N. Bhatia, AGP for Respondent-State

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 2nd JULY 2025.

P.C.:-

1. By way of this Petition, the Petitioner seeks to quash and set aside the order dated 22nd July 2021 passed by the Respondent No.1- District Caste Verification Committee, Sangli, whereby his Caste Certificate issued by thhe Deputy Collector Sangli was invalidated by the Committee.

2. By order dated 18th August 2021, when the matter was listed, the counsel for the Petitioner submitted that the order passed by the Caste Scrutiny Committee was impugned essentially because the same was passed ex-parte and without considering the relevant material on record. It was also stated that inspite of the request made

by the Petitioner seeking accomodation on the said date of hearing, the Committee proceeded to pass the impugned order. It was thus, on the basis of this statement that status quo ante as regards the service of the Petitioner as a clerk in the Finance Department, Government of Maharashtra as on 13th August 2021 was directed to be maintained.

3. We have perused the affidavit in reply filed on behalf of the Respondent No.1- Committee. The averments in the affidavit indicate that a Vigilance Cell Report was called for by the Committee. Thereafter, the Petitioner was given sufficient opportunity of being heard and the Petitioner had also filed his reply to the show cause notice. Since according to the Committee, the Petitioner failed to produce any documentary evidence evidencing that he was a resident of Maharashtra prior to 10th August 1950 and hence, his caste certificate was invalidated by the Committee.

5. Heard counsel for the parties and perused the record with their assistance. Ms. Sonali Chavan, learned counsel appearing for the Petitioner states that the Petitioner has documentary evidence which show that he was resident of State of Maharashtra prior to the deemed date. She reiterates that the Petitioner was unable to remain present

before the committee on the date of hearing and hence the matter was heard in his absence. The order impugned herein also indicates that the Petitioner had replied to the show cause notice with few documents but it is not clear as to whether he was physically present before the Committee.

6. In these circumstances, we deem it appropriate and in the interest of justice that the proceeding be remitted back to the Committee for consideration afresh. In this view of the matter we pass the following order.

ORDER

- i. The order dated 22nd July 2021 passed by the Respondent No.1- District Caste Scrutiny Committee invalidating the Caste Certificate of the Petitioner is set aside.
- ii. The proceedings are remanded back to the Respondent No.1- Committee for reconsideration afresh.

- iii. The Committee shall decide the matter within a period of twelve weeks from the date on which this order is placed before it by any of the parties to the present Petition.
- iv. The parties shall not seek any unnecessary adjournment before the Committee and cooperate in the expeditious disposal of the proceeding.
- v. The Petitioner is at liberty to file additional documents, if he so desires, before the Committee in the proceedings.

7. It is made clear that we have not gone into the merits of the matter and as such all contentions of all the parties are kept open. The Committee shall decide the matter on its own merits.

8. The Petition is accordingly disposed of.

(DR. NEELA GOKHALE, J.) (REVATI MOHITE DERE, J.)