



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

WRIT PETITION NO. 6882 OF 2024

Akash Bakkaji Gartulwar and others

-Vs.-

State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr. B.W.Patil, Adv. for the petitioners.
Mr. Ambarish Joshi, AGP for the respondents-State.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 14TH FEBRUARY, 2025

The petitioners question the advertisement of recruitment for the post of Police constable (Pg.23) as amended by the corrigendum dated 12/03/2024 (Pg.27) does not indicate, that in respect of candidates belonging to the reserved category, the requirement of a certificate of validity by the Caste Scrutiny Committee would be a must. The general norm, which is being followed is, that after the appointment, the certificate as issued by the Competent Authority is sent to the Caste Scrutiny Committee for validation by the employer. This is in terms of Section 6(3) of the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes (Vimukta Jatis), Nomadic Tribes, other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of Caste) Certificate Act, 2000 (for short "Act of 2000"). The impugned communication dated 02/09/2024, as it refuses

to issue appointment orders to the petitioners, who have been duly selected without a validity by the Caste Scrutiny Committee, on account of an objection received by it from the Association of Persons belonging to Dhangar Reserved Category, therefore cannot be sustained and is hereby quashed and set aside. The petition is accordingly allowed in the above terms. The respondents are directed to issue the appointment orders to the petitioners in case there is no other impediment in law and consequent to the appointment, within a reasonable time, send the certificates of these persons to the Caste Scrutiny Committee for a validation in terms of section 6(3) of the aforesaid Act of 2000. No order as to costs.

(ABHAY J. MANTRI,J) (AVINASH G. GHAROTE, J)