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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4582 of 2010

Bhagyashree Pramod Thakur ... Petitioner

versus

State of Maharashtra & Ors. ... Respondents

...

Mr. R.K.Mendadkar for the petitioner.

Mr. S.R.Nargolkar. Government Pleader for respondent nos.1 to 3 & 5.

Mr.R.A.Malandkar for respondent no.5.

CORAM : D.K. DESHMUKH AND

N.D.DESHPANDE, JJ

DATED : 7th September 2010

P.C.

1. By this petition, petitioner challenges the order passed by the Scrutiny Committee holding that the claim of the petitioner that she belongs to Thakur Schedule Tribe is not valid. The scrutiny committee has applied the affinity test and has held that the petitioner does not have affinity with Thakur Schedule Tribe. It appears that in paragraph no.8 of the order, instead of Thakur by mistake they have written "Thakar". Petitioner tried to take advantage of that. It is clear from the record that a clear finding is recorded that the petitioner has not been able to establish affinity with Thakur Schedule Tribe. The scrutiny

committee is a body consisting of experts. They have applied their mind to the material on record and when they recorded a finding after considering the relevant aspects, this Court is not justified in interfering in its extra-ordinary jurisdiction. Even the document of validity certificate relied on by the petitioner issued according to him to his relative have been considered. No document has been excluded from consideration. Considering that the family of the petitioner hails from Dharangaon area, in our opinion, no exception can be taken to the findings of the scrutiny committee. Petition is rejected.

2. Ad-interim relief is vacated.

(D.K.DESHMUKH, J)

(N.D.DESHPANDE,J)