



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3834 OF 2007

Anil Vithal Pawar

...Petitioner

v/s

State of Maharashtra and ors.

...Respondents

Mr R.K. Mendadkar for Petitioner.

Mr V.A. Gangal, Special G.P. with Ms M.P. Thakur,
AGP, Mr Ashok T. Gade, AGP and Mr V.P. Pandey, AGP
for Respondents.

CORAM : D.K. DESHMUKH AND N.D. DESHPANDE JJ.

DATE : 23RD AUGUST 2010.

P.C. :-

1] By this petition, the petitioner challenges the order dated 6th October 2006 passed by the Scheduled Tribe Caste Certificate Scrutiny Committee, Nashik holding that the claim of the petitioner that he belongs to Thakur, Scheduled Tribe is not valid. We have heard the learned counsel appearing for petitioner. Perusal of the impugned order shows that the Scrutiny Committee has referred to the material placed before it by the petitioner to establish affinity with Thakur, Scheduled Tribe and has recorded its conclusion that the material produced by the petitioner does not establish his affinity with Thakur, Scheduled Tribe. The Committee consisting of experts have applied their mind to the material produced before them and have recorded their conclusion. In our opinion, in the absence of any allegation of malice and allegation that the Scrutiny Committee has committed breach of mandatory law, it will not be appropriate for this Court to interfere with the order impugned

in our extraordinary jurisdiction under the Constitution of India. Petition is rejected. Ad-interim relief is vacated.

Parties to act on the copy of this order duly authenticated by Associate / Private Secretary of this Court.

Certified copy expedited.

(JUSTICE D.K. DESHMUKH)

(JUSTICE N.D. DESHPANDE)