



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.3319/2009

Gangadhar Papanna Allamwar,
through Power of Attorney Holder
Gangadhar Sayanna Muddamwar.

...Petitioner..

Versus

The Scheduled Tribe Caste Certificate
Verification Committee, Aurangabad.

...Respondent...

.....

Shri S.M. Vibhute, Advocate for petitioner.

Shri M.S. Deshmukh, Advocate for respondent.

.....

**CORAM: V.C.DAGA &
A.V. POTDAR, JJ.**

DATE: 15.07.2009

PER COURT:

Heard learned counsel for the petitioner.

The petitioner is challenging the order of the scrutiny committee dated 23.10.2008. The petitioner failed to produce oldest document in support of his claim. The main reliance is being placed on the genealogy to claim relationship with the person whose tribe claim has been validated. The same is considered by the scrutiny committee in the following words:

"The applicant has submitted an affidavit with family tree along with the xerox copy of Validity Certificate of his relatives whose caste is already decided by the earlier Caste Scrutiny Committee, which is listed at Sr.No.2,8. It is to be mentioned here that who is a very distant relative of the applicant & the vigilance Officer, have recorded the statement are the applicant and his father wherein validity holder and his name is not mentioned his statement, and his father Papnna Piraji two uncle namely 1. Piraji Piraji 2. Naganna Piraji. According to filing of affidavits is not sufficient to establish relationship. With applicant these relatives are from not in blood relation. They have not submitted supported document to confirm the relationship by way of revenue record. School record are any other record & as such these documents do not help to the applicant's claim."

The petitioner has also failed to prove the affinity and ethnic linkage towards Mannerwarlu scheduled tribe.

Under these circumstances, we find no fault with the view taken by the scrutiny committee. The petition is without any substance. The same is dismissed with no order as to costs.

(A.V. Potdar, J.)

(V.C. Daga, J.)

ndk/c157092