



IN THE HIGH COURT JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8663 OF 2010

Mahindra Bhimrao Suryawanshi. ...Petitioner

vs.

1.State of Maharashtra & ors. ...Respondents

Mr.R.K.Mendadkar, for Petitioner.

Mr.C.R.Sonawane, AGP for Respondents.

CORAM: D.K.DESHMUKH &
N.D.DESHPANDE,JJ.

DATED: 24th November, 2010

P.C.:

1. By this petition, the petitioner challenges the order passed by the Scrutiny committee holding that the claim of the petitioner that he belongs to Thakur Scheduled Tribe is not valid.

2. We have heard the learned Counsel appearing for both the sides. We find that the Scrutiny committee found that the caste of the petitioner is Thakur but he does not belong to Thakur Scheduled Tribe. To find out whether the petitioner belongs to Thakur Scheduled Tribe the Scrutiny committee has applied affinity test and has held that the petitioner does not belong to Thakur Scheduled Tribe. The Vigilance cell report was also called by the Scrutiny committee. Perusal of that report shows that a detail comparison of the traits, festivals, other characteristics, customs and traditions have been carried out and the Vigilance cell has given reasons why the petitioner cannot be said to belong to Thakur Scheduled Tribe. The learned Counsel appearing for petitioner submitted that the Scrutiny Committee has not given detail reasons for holding that the petitioner does not belong to Thakur Scheduled Tribe because he does not have affinity with Thakur Scheduled Tribe. We find that the reasons have been given by the

Scrutiny committee and the reasons are also to be found in the report of the Vigilance Cell. Thus, we find that on the record ample reasons are available in support of the finding of the Scrutiny committee that the petitioner does not have affinity with Thakur Scheduled Tribe. We see no substance in the petition. It is rejected.

(D.K.DESHMUKH, J.)

(N.D.DESHPANDE, J.)