

ITEM NO.128

COURT NO.6

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 6848 OF 2005

RAHUL LAXMAN BHURE

Appellant (s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 07/04/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE A.K. PATNAIK

For Appellant(s)

Mr. D.M. Nargolkar, Adv.

Mr. Amey Nargolkar, Adv.

For Respondent(s) Mrs. Asha G.Nair, Adv.

Mr. Sanjay Kharde, Adv.

Mr. Ravindra Keshavrao Adsure, Adv. (Not Present)

UPON hearing counsel the Court made the following

O R D E R

The appeal is dismissed in terms of the signed
order. No order as to the costs.

(Indu Satija)
Court Master

(Ajay Kr. Jain)
AR-cum-PS

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6848 OF 2005

Rahul Laxman Bhure

.... Appellant

Versus

State of Maharashtra & Ors.

.... Respondents

O R D E R

Heard learned counsel for the parties.

This appeal is directed against the impugned
judgment and order dated 20.08.2003 of the High Court of
Bombay whereby the writ petition filed by the appellant

herein, challenging the order dated 30.04.2002 of the Caste Scrutiny Committee, has been dismissed.

The facts in detail have been mentioned in the impugned judgment and order as also in the order of the Caste Scrutiny Committee. Hence, we are not repeating the same here.

The appellant, on the basis of a Caste Certificate dated 16.06.2000 issued by the Dy. Collector and Spl. Land Acquisition Officer, Mumbai Suburban District, claimed to be a Scheduled Tribe (Mahadeo Koli) for seeking admission to Medical and Engineering College against the reserved seat of scheduled tribe. However, the Caste Scrutiny Committee found that the appellant does not belong to Scheduled Tribe

(Mahadeo Koli) but belongs to 'OBC category'.
evident that the appellant obtained the Caste Certificate dated 16.06.2000 by fraud. In our opinion, the High Court rightly dismissed the writ petition because it could not sit in appeal over the order of the Caste Scrutiny Committee. We find no reason to differ with the opinion of the High Court. Accordingly, the appeal is dismissed. No order as to the costs.

Thus, it is

.....J.
(MARKANDEY KATJU)

.....J.
(A.K. PATNAIK)

NEW DELHI;
APRIL 07, 2010