

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Writ Petition No. 2640 of 2015

Sk. Ismail Mujawar,
Age : 49 years,
Occupation : Agriculture &
Business,
R/o. Dhorkin,
Taluka : Paithan,
District : Aurangabad.

.. Petitioner.

versus

1. The State of Maharashtra,
Through Department of Social Welfare,
Mantralaya,
Mumbai - 400 032.
2. The Collector, Aurangabad,
Taluka & District : Aurangabad.
3. The Sub-Divisional Officer,
Phulambri - Paithan,
Aurangabad.
4. The Education Officer (Primary),
Zilla Parishad,
Aurangabad.
5. The Deputy Director of Education (Primary),
Aurangabad.

.. Respondents.

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Mr. D.P. Palodkar, Advocate, for the petitioner.

*Mr. S.S. Tope, Assistant Government Pleader, for
respondent nos.1, 2, 3 and 5.*

Mr. Z.Y. Pathan, Advocate, for respondent no.4.

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**CORAM : A.V. NIRGUDE &
A.M. BADAR, JJ.**

DATE : 18TH JUNE 2015

PER COURT :

1. Heard Counsel for respective parties.
2. The learned Counsel for the petitioner gives up, at present, that part of prayer clause “B” which seeks directions to the respondent - Zilla Parishad.
3. The learned Counsel for the petitioner insists that, on behalf of the petitioner, all the procedural steps are taken for getting caste certificate from the competent authority and yet, despite pendency of his application for the last 4½ years, no certificate was issued or no order of rejection of application is passed.
4. We have perused the record and found that all procedural steps are taken by the petitioner in support of his application for issuance of caste certificate, however, no order is passed by respondent no.3, either allowing the application or rejecting the same. No reply is filed for explaining as to why caste certificate is not issued or suitable order is not passed. We also notice that, upon following procedure under Rule 4, Sub-

Rule 12 of the the Maharashtra Scheduled Tribes (Regulation of Issuance and Verification of) Certificate Rules, 2003, in fact, enjoins competent authority, within 45 days, either to grant certificate or reject the same recording reasons. Since this is not done, we direct respondent no.3 to do so as soon as possible and this process should be completed within four weeks from today.

5. With these directions, the petition is disposed of.

(A.M. BADAR)
JUDGE

(A.V. NIRGUDE)
JUDGE

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