

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

WRIT PETITION NO.5158 OF 2015

Jayesh Hilal Thakur .. **PETITIONER**
Age-33 years, Occu-Service,
R/o. At Post-Taskheda,
Tq. Amalner,
Dist. Jalgaon 425401.

Versus

1. The State of Maharashtra .. **RESPONDENTS**
Through its Principal Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32.
2. The Scheduled Tribe Certificate
Scrutiny Committee, Nandurbar,
Division Nandurbar, Through its
Member Secretary and Dy. Director (Research)
Having its Office at Near RTO Office,
Sakri Road, Nandurbar 425412.
3. The Principal,
WKB Seva Mandal's
Arts & Commerce College for
Women, Deopur, (Vidyanagari Deopur),
Dhule 424005.

Mr.K.T.Shirrurkar, Advocate for the petitioner.
Mr.A.B.Tele, Advocate for respondent No.2
Mrs. M.S.Patni, AGP for the respondent/ State.

**CORAM : A.V. NIRGUDE &
A.M. BADAR,JJ.
DATED : 03.07.2015**

ORAL JUDGMENT : [PER: A.M. BADAR, J.]

1. Heard. Rule. Rule made returnable forthwith.

2. The learned counsel for the petitioner vehemently argued that the tribe claim of the petitioner is pending for verification since the year 2004. Earlier on 05.02.2014 hearing was fixed. He further submitted that, till date the Scrutiny Committee has not heard the matter and kept his tribe claim pending. By pointing out the judgment of this Court in Writ Petition No. 6196 of 2013 passed on 1st August, 2013, learned counsel for the petitioner submitted that the same course should be adopted and his petition should be disposed of in the manner in which the said petition was decided.

3. The learned counsel for the Scrutiny Committee submitted that the claim of the petitioner for Thakur scheduled tribe is pending for consideration before the Scrutiny Committee and his case is fixed for hearing on 09th July, 2015. The learned counsel for the Scrutiny Committee submitted that within two weeks the tribe claim of the petitioner shall be decided.

4. After giving our anxious consideration to the rival submissions of the parties we are of the view that

in such matter the tribe claim needs to be decided expeditiously. In the case in hand the Scrutiny Committee has come up with a positive statement that the tribe claim of the petitioner shall be decided within a period of two weeks. Such decision shall ultimately be beneficial to the petitioner himself as his grievance is that his tribe claim is not decided since the year 2004. In this view of the matter we pass the following order.

5. The petitioner shall appear before the respondent No.2 Scrutiny Committee on 09.07.2015 at 11.00 am and he shall render all his assistance and cooperation to the committee for expeditious disposal of his tribe claim.

6. After hearing the petitioner and following all procedural formalities, respondent No.2 Committee shall decide the tribe claim of the petitioner within three weeks from 09.07.2015. Till then respondents are directed not to take any coercive action against the petitioner on the ground that the tribe validity certificate has not been submitted by the petitioner. With this directions petition is disposed of.

7. Rule is made absolute accordingly. No costs.

[A.M. BADAR,J.]

[A.V. NIRGUDE,J.]