

WRIT PETITION NO.6627 OF 2014
WITH
CIVIL APPLICATION NO.10599/2015

VERSUS

* * * * *

DATE : 28th August, 2015.

2) The petitioner claims that he belongs to "Koli Mahadev" Scheduled Tribe. The petitioner tendered a proposal for verification of his tribe claim to the Committee, however, the Committee

refused to verify the tribe claim of the petitioner for the reason that in the Caste Certificate issued by the Committee, the tribe of the petitioner is recorded as "Mahadev Koli" instead of "Koli Mahadev".

3) In view of the decision dated 14th August, 2014 rendered by the Division Bench of this Court in Writ Petition No.4536/2014 and other companion matters, the instant petition also deserves to be disposed of by issuing certain directions, as under:

i) The petitioner may approach the concerned Committee by an application for issuance of photostat copy of the Caste/tribe certificate produced by him for verification, within a period of one month from today.

ii) On receipt of such application, the Committee, shall issue attested/authenticated copy of caste/tribe certificate produced by the petitioner for verification to the Committee within 7 days.

iii) The petitioner, on receipt of the photostat copy of the caste/tribe certificate, shall approach

the concerned Sub Divisional Officer/Competent Authority with an application for issuance of caste/tribe certificate, indicating correct tribe, i.e. "Koli Mahadev"; and on receipt of such application, the concerned authority shall issue caste/tribe certificate within a period of four weeks from the date of receipt of the application.

iv) On receipt of the tribe certificate issued by the competent authority, the petitioner shall produce the same for its verification to the concerned Scrutiny Committee within a period of six weeks together with the proposal, in proper format.

v) On receipt of the proposal in respect of the verification/validation of the caste/tribe certificate, the concerned Scrutiny Committee shall, in observance of the procedure prescribed in law and after extending an opportunity of hearing to the petitioner and all other concerned, proceed to decide the validation claim of the petitioner as expeditiously as possible and preferably within a period of eight months from the date of receipt of the proposal.

vi) Until the decision on the proposal in respect of validation of the tribe claim of the petitioner, no coercive action shall be taken against the petitioner.

4) With the directions, as above, the writ petition is disposed of. Pending Civil Application, if any, stands disposed of.

sd/-
(P.R.BORA)
JUDGE

sd/-
(R.M.BORDE)
JUDGE

bdv/