

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

WP NO.8717/2015

29 WRIT PETITION NO. 8717 OF 2015

VANDANA NIMBA USHIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Murge Estling S
AGP for Respondent State:P.S.Patil
Mr. Tele Ashok B., Adv., for For R/2.

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: October 19, 2015

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PER COURT :-

1. Heard.

2. The issue involved in the present Writ Petition is no longer res-integra and is decided by this Court vide order dated 14.8.2014 in W.P.No.4536/2014 and other connected writ petitions.

3. The judgment delivered by the Scrutiny Committee deserves to be upheld and no interference is called for in the said order. However, in order to facilitate the petitioner to secure proper caste certificate and produce the same for verification, certain directions need to be issued and we propose to issue following directions:

(a) The petitioner may approach the concerned Scrutiny Committee for issuance of photo-stat / certified copy of the caste /

agp/-

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tribe certificate produced by him for verification within a period of four weeks from today.

(b) On receipt of the application, the Scrutiny Committee shall issue to the petitioner a photo-stat / certified copy of the caste / tribe certificate, produced by the petitioner for verification to the Committee, within a period of two weeks from the date of receipt of the application.

(c) On receipt of the photo-stat / certified copy of the caste certificate, the petitioner shall approach the concerned Sub Divisional Officer / Authority for issuance of caste certificate within six weeks.

(d) On receipt of the application / proposal from the petitioner, the concerned Sub Divisional Officer shall entertain the application and issue caste certificate in the prescribed proforma certifying that the petitioner belongs to Koli Mahadev Scheduled Tribe as expeditiously as possible, preferably within a period of four weeks from the date of receipt of application / proposal.

(e) On receiving the certificate in the prescribed proforma, the petitioner shall produce the same, together with a proposal in prescribed proforma to the concerned Caste Scrutiny Committee within a period of six weeks and the Scrutiny Committee shall proceed to verify the certificate and declare the order in observance of the procedure prescribed under the relevant Rules and Regulations as expeditiously as possible, preferably within a period of one year from the date of receipt of the proposal.

agp/-

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In the meanwhile, the employer of the petitioner shall not take any adverse action against the petitioner only on the ground of failure of the petitioner to produce validation certificate.

With the directions as above, the Writ Petition stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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