

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 7444 OF 2016

Ravikant s/o Rohidas Mantri

Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee, Aurnagabad
& others

Respondents

Mr. S.S. Phatale, advocate for the petitioner.
Mr. P.S. Patil, A.G.P. for the State.

WITH
WRIT PETITION NO. 7445 OF 2016

Tushar s/o Ramhari Mantri

Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
committee, Aurangabad
& others

Respondents

Mr. S.S. Phatale, advocate for petitioner.
Mr. V.M. Kangne, AGP for the State.

WITH
WRIT PETITION NO. 7446 OF 2016

Tanaji Digambar Kondalwade

Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad
& others

Respondents

Mr. S.S. Phatale, advocate for petitioner.

Mr. A.R. Kale, AGP for the State.

WITH
WRIT PETITION NO. 7447 OF 2016

Vindo s/o Sheshrao Rajure

Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad
& others

Respondents

Mr. S.S. Phatale, advocate for petitioner.
Mr. M.B. Bharaswadkar, AGP for the State.

WITH
WRIT PETITION NO. 7448 OF 2016

Bhimrao Munja Mande

Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad
& others

Respondents

Mr. S.S. Phatale, advocate for petitioner.
Mr. S.S Dande, AGP for the State.

WITH
WRIT PETITION NO. 7449 OF 2016

Bandu s/o Baburao Kombade

Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad
& others

Respondents

Mr. S.S. Phatale, advocate for petitioner.
Mr. P.S. Patil, AGP for the State

WITH
WRIT PETITION NO. 7450 OF 2016

Priyanka d/o Bandupant Mane Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad
& others Respondents

Mr. S.S. Phatale, advocate for petitioner.
Mr. V.M. Kangne, AGP for the State.

WITH
WRIT PETITION NO. 7451 OF 2016

Amrata d/o Balasaheb Mande Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad
& others Respondents

Mr. S.S. Phatale, advocate for petitioner.
Mr. A.R. Kale, AGP for the State.

WITH
WRIT PETITION NO. 7452 OF 2016

Gitabai Dnyanoba Nirde Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad
& others Respondents

Mr. S.S. Phatale, advocate for petitioner.
Mr. M.B. Bharaswadkar, AGP for the State.

**CORAM : R.M.BORDE &
K.L.WADANE, JJ.
DATE : 20th July, 2016**

PER COURT:

1. Heard.
2. Petitioners claim to be belonging to 'Koli Mahadev' Scheduled Tribe and are in receipt of tribe certificate issued by the competent authority containing certification accordingly. Tribe certificates issued in favour of petitioners were referred to the Scrutiny Committee for verification however, Scrutiny Committee turned down the proposal on the ground that description of caste in the tribe certificate is incorrectly recorded as 'Mahadev Koli' and not as 'Koli Mahadev' and, petitioners have been given liberty to secure proper certificate and submit the same for verification once again.
3. The issue raised in the instant petition is no more *res-integra* in view of decision rendered by this Court in Writ Petition no. 4536/2014 and other companion petitions. In view of decision in aforesaid writ petitions, decision of the Scrutiny Committee is upheld. Petitioners undertake to co-operate the Scrutiny

Committee in rendering decision within prescribed time frame. In the facts and circumstances, we proceed to pass following order :

- a) Petitioners may approach the concerned Scrutiny Committee for issuance of photostat/true copy of the tribe certificate produced by them for verification, within a period of two months from today. The Scrutiny Committee, on receipt of such applications, issue true copy / certified copy of the tribe certificate produced by respective petitioners for verification to the Committee, within a period of four weeks from the date of receipt of such application.
- b) On receipt of photostat / certified copy of the tribe certificate, petitioners shall approach the Sub-Divisional Officer / Competent authority, with an application for issuance of tribe certificate within a period of six weeks, thereafter.
- c) On receipt of tribe certificate, petitioners shall tender the certificate with the proposal in the prescribed proforma to the Scrutiny Committee within a period of eight weeks and, the Scrutiny committee shall proceed to determine the claim for

verification of the tribe certificate in accordance with the provisions of law and render decision as expeditiously as possible, preferably within a period of eight months from the date of receipt of the proposal.

d) In the meanwhile, no adverse action shall be taken against petitioners merely on the ground of failure to submit validation certificate and, it would be open for the employer to take appropriate steps in the event of failure of petitioners to substantiate their claim and to secure validation certificate.

4. Writ petitions stand disposed of accordingly.

K.L.WADANE
JUDGE

R.M.BORDE
JUDGE

dyb/