

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

WRIT PETITION NO. 10993 OF 2016

Bharitbai W/o Dilip Bastawade

...PETITIONER

versus

The State of Maharashtra and others

...RESPONDENTS

.....
Mr. Nilkant R. Pawade, Advocate for petitioner
Mr. A.B. Girase, Government Pleader for respondents
.....

**CORAM : R.M. BORDE AND
K.K. SONAWANE, JJ.**

DATED : 27th OCTOBER, 2016.

Order :-

1. Petitioner claims to be belonging to schedule tribe category and is in receipt of tribe certificate issued by the competent authority certifying accordingly. The petitioner has been elected as member of Village Panchayat, Tamsa, Taluqa Hadgaon, District Nanded and has also been further elected as Sarpanch of the Village Panchayat, Tamsa. The petitioner represents schedule tribe category seat. As a result of failure on the part of petitioner to submit tribe validity certificate within prescribed time frame, proceedings have been initiated against her before the Collector holding her disqualified to hold the elected post.

2. In the facts and circumstances of the case and in view of judgment dated 18th October, 2016 in writ petition No. 9180 of 2016 (*Kamal Uttamrao Shinde Vs. The State of Maharashtra and others*) of the Division Bench of this court, this petition can be disposed of by issuing directions to respondent No. 4 Scrutiny Committee to take decision on

the tribe certificate verification proposal of the petitioner pending with it, as expeditiously as possible, preferably within a period of four months from today and it is accordingly directed.

3. In the meanwhile, respondents are directed not to take coercive action against the petitioner on the ground of her failure to submit tribe validity certificate.

4. With directions as above, writ petition stands disposed of.

[K. K. SONAWANE, J.]

[R.M. BORDE, J.]

MTK