

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

WRIT PETITION NO.11404 OF 2016

Malayya s/o. Lachmanna Koshkewar,
Age : 55 years, Occ. Agri.,
r/o. Nara Galli, Kudalwadi,
Tq. Biloli, Dist. Nanded ..Petitioner

Vs.

The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai – 32
and anr. ..Respondents

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Mr.A.P.Piratwat, Advocate for petitioner

Mr.S.B.Joshi, AGP for respondents

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**CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.
DATE : NOVEMBER 22, 2016**

PER COURT :

Heard.

2. The petitioner takes exception to the order passed by the Scrutiny Committee on 17.03.2007 directing invalidation of his tribe claim.

3. The Committee has turned down the tribe claim of the petitioner primarily on the grounds that the petitioner failed to produce any valuable proof or record prior to 1950 in support of his claim, and that he failed to answer the affinity test and that there appears inconsistencies in the school record, copies of which are annexed to the petition.

4. In the school leaving certificate issued by the Zilla Parishad High School, Kondalwai, copy of which is annexed at page 18 to the petition, the tribe of the petitioner is recorded as 'Munurwar', whereas in the certificate annexed at page 20 i.e. extract of admission register, his tribe is recorded as 'Munurwarlu'. The correct tribe which is recorded in the constitutional order is 'Mannerwarlu' and not 'Munurwarlu' as recorded at page 20 or 'Munurwar' as recorded at page 18.

5. The Scrutiny Committee passed the impugned order in the year 2007 and the same is challenged by way of present petition in the year 2016. There is no explanation, as to why the petitioner has moved this Court after a lapse of 8 years. Even otherwise, considering the contentions raised in this petition, the petition does not deserve consideration.

6. The petition is devoid of substance and as such, stands dismissed

[SANGITRAO S. PATIL, J.]

[R.M. BORDE, J.]