

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

WRIT PETITION NO. 3203 OF 2017

Premchand Bapurao Sirsewad .. Petitioner

Versus

The State of Maharashtra
and others

.. Respondents

WITH

WRIT PETITION NO. 3204 OF 2017

Madhav Vithalrao Nagamwad .. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

WITH

WRIT PETITION NO. 3205 OF 2017

Kailash Vitthal Silamwar .. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

WITH

WRIT PETITION NO. 3206 OF 2017

Naresh Rajeshwar Singarwad .. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

WITH

WRIT PETITION NO. 3207 OF 2017

Prashant Rajeshwar Singarwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 3208 OF 2017**

Krishnaveni Ramulu Singarwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 3209 OF 2017**

Sandip Gangadhar Bodhankar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 3210 OF 2017**

Balaji Bhimrao Pupalwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 3211 OF 2017**

Rucha Govind Yamalwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 3212 OF 2017**

Chaitanya D/o Sanjay Palekar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3213 OF 2017

Shivkant Bhumanna Kolhawar .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3214 OF 2017

Satish Hanmant Mupade .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3215 OF 2017

Manoj Narendra Zariwad .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3216 OF 2017

Vikrant Shankarrao Pupalwad
and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3217 OF 2017

Digambar Vasantrao Sirsewad .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3218 OF 2017

Arti Premrao Sirsewad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3219 OF 2017

Suresh Balaji Gattuwar and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3220 OF 2017

Prachi Sanjayrao Modwan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3221 OF 2017

Tejaswini Sainath Shetod .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 3222 OF 2017

Sambha Devaba Tandulwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sunil M. Vibhute, Advocate for Petitioners in all matters.
Shri Y. G. Gujrathi, A.G.P. for Respondents/State in all matters.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.
DATE : 09TH MARCH, 2017.**

PER COURT :

. Issue notice to respondents. The learned A. G. P. waives notice for all respondents.

2. Heard.

3. The issue involved in these Writ Petitions is no longer res-integra and is decided by this Court vide order dated 14.8.2014 in W. P. No. 4536 of 2014 and other connected Writ Petitions.

4. In view of the above, we also follow the same course.

5. The view taken by the Scrutiny Committee deserves to be upheld. However, in the facts and circumstances, we proceed to issue certain directions in addition to the directions issued by the Scrutiny Committee as follows.

(a) The petitioners, in these petitions, may approach the concerned Scrutiny Committees for issuance of photostat copy of the caste/tribe certificate produced by

them for verification, within a period of four months from today. The Scrutiny Committee, on receipt of such applications, issue attested/authenticated copy of the caste/tribe certificate produced by respective petitioners for verification to the Committee.

(b) The respective petitioners, on receipt of 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 within a period of six weeks, thereafter.

(c) In the event earlier caste certificates had been issued by the Executive Magistrates, it would be open for the petitioners to tender an application to the Sub Divisional Officer of the concerned Division and such officer shall entertain the application and shall issue caste certificate/s in the prescribed proforma on verifying attested/authenticated photostat copy of the earlier caste certificate.

(d) The concerned Sub Divisional Officer/Competent Authority, on receipt of the applications by respective petitioners, together with attested/authenticated photostat copy of the caste/tribe certificate issued earlier, shall proceed to issue caste/tribe certificate in prescribed

proforma certifying that respective petitioners belong to 'Mannervarlu', Scheduled Tribe. The Sub Divisional Officers/Competent Authority shall issue certificates within a period of four weeks from the date of receipt of the applications.

(e) On receipt of Tribe certificates, respective petitioners, shall approach the concerned Scrutiny Committees with a proposal in prescribed proforma requesting the Scrutiny Committees to verify the Tribe Certificate and consider their applications for issuance of validity certificates. The respective petitioners shall approach the Scrutiny Committee within a period of eight weeks from the date of receipt of the caste certificate from the competent authority.

(f) On receipt of the proposal from respective petitioners, the Scrutiny committee shall proceed to verify the caste/tribe certificate and take appropriate decision after following procedure prescribed under law in respect of issuance of validity certificates, as expeditiously as possible, preferably within a period of one year from the date of receipt of the proposal/application.

(g) The Scrutiny Committee shall accept the proposals directly and shall not refuse to accept the proposals on the

ground that same have not been routed through proper channel, either employer or educational institutions.

(h) The respective education institutions/colleges or the employers shall not take any adverse action against any of the petitioners only on the ground of their failure to produce validity certificate and further appropriate action can be taken only subject to result of verification claim, which would be lodged before the Scrutiny Committee, in accordance with the directions issued in this judgment.

6. The writ petitions stand disposed of accordingly. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 17