

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6288 of 2017

Maroti S/o Pralhad Koli

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.S.M. Vibhute advocate for the petitioner

Mrs. M.A. Deshpande for Respondents

CORAM : R.M. BORDE &

K.L. WADANE, JJ

(Date : 4th MAY, 2017.)

PER COURT :-

1. Heard.

2. The petitioner is taking exception to the order dated 30th April, 2014, passed by Scheduled Tribe Certificate Verification Committee, Aurangabad Division, Aurangabad (for short, the Committee) directing cancellation of the caste certificate issued in favour of the petitioner.

3. The petitioner claims that he belongs to "Koli Mahadev" Scheduled Tribe. Petitioner tendered a proposal for verification of his tribe claim to the Committee, however, the Committee refused to verify the tribe claim of the petitioner for the reason that in the

Caste Certificate issued by the Committee, the tribe of petitioner is recorded as "Mahadev Koli" instead of "Koli Mahadev".

4. In view of the decision dated 14th August, 2014, rendered by the Division Bench of this Court in Writ Petition No. 4536/2014 and other companion matters, the instant petition also deserves to be disposed of by issuing certain directions, as under :

i) The petitioner may approach the concerned Committee by an application for issuance of photostat copy of the Caste / tribe certificate produced by him for verification, within a period of one month from today.

ii) On receipt of such application, the Committee, shall issue attested / authenticated copy of caste / tribe certificate produced by the petitioner for verification to the Committee within seven days.

iii) The petitioner, on receipt of the 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, indicating correct tribe i.e. "Koli Mahadev"; and on receipt of such application, the concerned authority shall issue caste / tribe certificate within a period of four

weeks from the date of receipt of the application.

iv) On receipt of the tribe certificate issued by the competent authority, the petitioner shall produce the same for its verification to the concerned Scrutiny committee within a period of six weeks together with the proposal, in proper format.

v) On receipt of the proposal in respect of the verification / validation of the caste / tribe certificate, the concerned Scrutiny Committee shall, in observance of the procedure prescribed in law and after extending an opportunity of hearing to the petitioner and all other concerned, proceed to decide the validation claim of the petitioner, as expeditiously as possible, preferably within a period of eight months from the date of receipt of the proposal.

5. With the directions as above, writ petition is disposed of. Pending civil application, if any, stands disposed of.

(K.L. WADANE, J)

(R.M. BORDE, J)