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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.9253/2017

Kirti Ganesh Pawar
@ Kirti Prabhakar More.
...Petitioner..

Versus

The State of Maharashtra & another.
...Respondents...

.....

Shri K.T. Shirrurkar, Advocate for petitioner.
Shri D.R. Kale, AGP for respondent nos.1 & 2.

.....

**CORAM: S.C. DHARMADHIKARI &
SANGITRAO S. PATIL, JJ.**

DATE: 21.07.2017

ORDER :

1] The petitioner relied upon a tribe certificate certifying her as belonging to 'Thakur' scheduled tribe. This certificate is issued way back on 7.3.1989. Relying upon this certificate, the petitioner sought employment. She was selected, but had not been issued an appointment letter. It is stated that the petitioner cannot be appointed as Assistant Section Officer in the Department

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of the Government because she does not possess a tribe validity certificate.

2] The petitioner has narrated as to how the certificates of validity have been issued to the petitioner's real brother Vinayak Prabhakar More. Thought the petitioner's proposal is pending with the committee from 2007 and to be precise from 19.10.2007, no decision has been taken. The petitioner says that on several occasions, she attended the hearing, tendered the requisite documents and made her submissions. The file was closed for passing orders, but no orders have been passed. The reason now given, that there is a change in the composition of the committee, which was also assigned earlier. On two occasions prior to the present petitioner, the petitioner had to go through the same ordeal. The orders are not pronounced as yet.

3] We, therefore, direct that the respondent no.2 – scrutiny committee shall pass the final orders within a period of one month from the date of receipt of copy of this order, failing which we would summon the Member Secretary to this Court and direct him to pay costs personally to the petitioner for the delay. The

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petitioner may be considered for provisional appointment if the Rules so permit. The petition is disposed of accordingly. No costs.

(SANGITRAO S. PATIL, J.) (S.C. DHARMADHIKARI, J.)