

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

WRIT PETITION NO. 12429 OF 2017

KALPANA DNYANESHWAR INGLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.Madhur A. Golegaonkar, Advocate for the petitioner
Mr.C.S.Kulkarni, AGP for the respondent/State

**CORAM : S.V. GANGAPURWALA &
S.M. GAVHANE, JJ.**

DATED : 28.11.2017

P.C. :-

. The tribe certificate of Thakur Scheduled Tribe issued to the petitioner by Deputy Collector, Parbhani was referred for validation to the Committee in the year 2011. Mr.Golegaonkar, learned Advocate submits that all the necessary documents on which the petitioner relied are placed before the Committee. The Committee also conducted the vigilance and subsequently cancelled the tribe certificate on the ground that authority at Parbhani had no jurisdiction to issue the certificate.

2. Learned counsel submits that subsequently the petitioner approached the SDO, Washim and SDO, Washim has issued the tribe certificate to the petitioner of Thakur Scheduled Tribe. Learned Advocate on instructions states

that within ten days the said tribe certificate would be submitted to the Committee at Amrawati.

3. Accepting the statement of the petitioner that within ten days the petitioner would submit the proposal to the Scrutiny Committee, Amrawati seeking validation of his tribe certificate. In light of the above, we pass the following order.

ORDER

i. The petitioner shall submit the proposal within ten days to the Scrutiny Committee, Amrawati seeking validation of his tribe claim of Thakur Scheduled Tribe.

ii. On receipt of the said proposal the Committee shall decide the validation proceeding within one year. Till the validation proceeding is decided the respondent shall not take any coercive action against the petitioner only on the ground that the validation proceeding is pending.

iii. The respondent can resort to further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

iv. The writ petition stands disposed of. No costs.

[S.M. GAVHANE, J.]

[S.V. GANGAPURWALA, J.]