

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9766 OF 2015

Mrs.Shubhangi Shashikant Patil. .. Petitioner
Vs.
District Collector, Kolhapur and Another. .. Respondents
—
Shri Ajinkya Udane i/b Shri Tanaji Mhatungade for the Petitioner.
Shri A.I. Patel, Addl.GP for the Respondent Nos.1 and 2.
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CORAM : A.S. OKA &
SMT. VIBHA KANKANWADI, JJ
DATED : 31ST JULY 2017

P.C.

1. The grievance of the Petitioner is that the proposal submitted by the Petitioner for grant of caste certificate is not being accepted.

2. If the Petitioner wants caste certificate certifying that she belongs to a particular reserved category, the Petitioner will have to apply to the Competent Authority within the meaning of Clause (b) of Section 2 of the Maharashtra Scheduled Caste, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 in the prescribed form for grant of caste certificate. If such an application is made, the Competent Authority is bound to decide the same in accordance with law. Hence, we dispose of the Petition by passing the following order:-

ORDER :

- (a) It will be open for the Petitioner to make an Application to the Competent Authority in accordance with Sub-section (1) of Section 3 of the The Maharashtra Scheduled Caste, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 for grant of caste certificate;
- (b) The Competent Authority shall decide the said Application as expeditiously as possible and in any event within a period of two months from the date on which such an Application is made;
- (c) The Petition is disposed of on above terms;
- (d) However, we make it clear that no adjudication is made on the caste claim of the Petitioner and contentions on merits in that behalf are kept open.