

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

WRIT PETITION NO. 2222 OF 2018

Sarita Maharu Koli

.. Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee Aurangabad through its
Member Secretary and another

.. Respondents

Shri D. B. Shinde, Advocate h/f Shri M. S. Deshmukh, Advocate
for the Petitioner.

Mrs. A. V. Gondhalekar, Addl.G.P. for the Respondent No. 1.

Shri S. B. Deshpande, A.S.G. for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 28TH FEBRUARY, 2018.

FINAL ORDER :

. Mrs. Gondhalekar, the learned Additional Government
Pleader accepts notice for the respondent No. 1. Mr. Deshpande,
the learned A.S.G. accepts notice for the respondent No. 2.

2. The tribe certificate issued to the petitioner of 'Tokare Koli'
(Scheduled Tribe) is cancelled on the ground that the authority
who has issued the certificate did not possess territorial
jurisdiction.

3. The learned counsel for the petitioner states that, the petitioner would apply to the Sub Divisional Officer, Shirpur, Dist. Dhule for issuance of tribe certificate.

4. Considering the above, we pass following order.

5. The petitioner shall apply for issuance of tribe certificate to the Sub Divisional Officer, Shirpur, Dist. Dhule within a period of one week from today. On receipt of application, the Sub Divisional Officer shall issue the tribe certificate to the petitioner of Tokare Koli (S.T.) within a period of four (04) weeks of the receipt of application of the petitioner. We are passing the order directing S. D. O. to issue tribe certificate, as the petitioner was already issued with the tribe certificate earlier.

6. On receipt of the tribe certificate within a period of three (03) weeks, the petitioner shall submit the proposal to the Scrutiny Committee for verification of her tribe claim. The petitioner shall adhere to the aforesaid stipulation of time. The Committee on receipt of the proposal from the petitioner complete in all respect shall decide the validation proceeding within a period of nine (09) months from the date of receipt of the proposal. The petitioner shall co-operate in expeditious disposal of the validation proceeding. Till the validation proceeding is decided, the respondent No. 2 shall not take any adverse action

against the petitioner only on the ground that validation proceeding is pending. If the petitioner fails to adhere to the stipulation as stated above, then the respondent No. 2 may after issuing notice to the petitioner take further course of action as it deems fit. The writ petition is disposed of. No costs.

[A. M. DHAVALA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 18