

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.6224 OF 2018

1 Himanshu s/o Pratap Sonawane

2 Chandan s/o Pratap Sonawane

Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr.O.B.Boinwad, advocate for petitioners.

Mrs.M.A.Deshpande, A.G.P. for Respondents.

**CORAM : R.M.BORDE &
A.M.DHAVAL, JJ.**

DATE : 21st June, 2018

PER COURT:

1 Petitioners claim to belong to Tokare Koli, a Scheduled Tribe and petitioner no.1 is desirous of seeking admission to professional course as against a seat earmarked for Scheduled Tribe category. The petitioners are in receipt of the Tribe certificate issued by the Sub Divisional Officer, Jalgaon. The petitioner no.1` tried to tender a proposal for verification of his tribe certificate to Respondent No.3-Scrutiny Committee, however, the proposal has not been accepted on the ground that the tribe certificate issued by the Sub Divisional Officer is not in proper proforma.

2 On perusal of the certificate, it appears that the certificate, that has been issued to the petitioner by the Sub Divisional Officer is not in proforma "C" under rule 4(6) and 5(2)(a) and (b) of the Maharashtra Scheduled Tribes (Regulation of Issuance and verification of) Certificate Rules, 2003.

3 It would be open for the petitioner no.1 to secure proper certificate from the Sub Divisional Officer and tender it together with the proposal/s to the Scrutiny Committee. If the petitioner no.1 tenders application for issuance of tribe certificate in proper proforma together with the original tribe certificate issued to him by the Sub Divisional Officer, Jalgaon, within a period of one week from today, the Sub Divisional Officer, Jalgaon, shall issue tribe certificate in proper proforma, as expeditiously as possible, preferably within a period of one week from the date of receipt of the application. On receipt of proper tribe certificate, it would be open for the petitioner no.1 to tender proposal for verification of tribe certificate to Respondent No.3-Scrutiny Committee. Respondent No.3-Scrutiny Committee shall accept the proposal, which would be tendered by petitioner no.1 directly. If petitioner no.1 tenders proposal for verification of his tribe certificate within a period of four weeks from today to Respondent No.3-Scrutiny Committee, the Committee shall conduct inquiry and shall take decision in the matter in observance of the procedure prescribed under law, as expeditiously as possible, preferably within a period of six months from the date of receipt of the proposal.

4 With the above directions, writ petition stands disposed of.

s

A.M.DHAVLE
JUDGE

R.M.BORDE
JUDGE

adb/