

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.7500 OF 2018

Rohan s/o Vijay Yerawad

Petitioner

Versus

The State of Maharashtra & another

Respondents

Mr.S.M.Vibhute, advocate for the petitioner.

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

**CORAM : R.M.BORDE AND
A.M.DHAVALA, JJ.**

DATE : 11th July, 2017.

P.C. :

1 Petitioner claims to belong to Manneryarlu, Scheduled Tribe and is in receipt of the tribe certificate issued by the competent authority. The petitioner has already tendered proposal for verification of tribe certificate to the Scrutiny Committee on 23.06.2017 and the proposal is stated to be pending. The petitioner is desirous of securing admission to professional course and as such, needs to produce the validity certificate to the concerned College/Institution.

2 It is the contention of the petitioner that he is in receipt of validity certificate issued by the Scrutiny Committee after conducting inquiry in accordance with provisions of Rules on 31.05.2006. In the validity certificate issued to the father of the petitioner, name of the tribe is recorded as Manneryarlu. The certificate issued by the Sub Divisional Officer in favour of the petitioner records spelling of the tribe as 'Mannerwarlu'. The

Scrutiny Committee shall determine status claim of the petitioner and shall not refuse to decide the same merely on the ground that there is an error in the spelling of the tribe recorded in the certificate. If the Scrutiny Committee comes to the conclusion that the petitioner has established his status claim, which the Scrutiny Committee shall normally hold taking into consideration judgment of the Division Bench in the matter of **Apoorva d/o Vinay Nichale Vs. Divisional Caste Scrutiny Committee No.1 and others**, reported in 2010 (6) MhLJ 401, the Scrutiny Committee shall issue validity certificate recording correct spelling of the tribe.

3 The Scrutiny Committee shall decide the proposal for verification of tribe certificate of the petitioner, as expeditiously as possible, preferably before 30th July, 2018. Petitioner states that he would not insist upon observance of time frame provided under the Rules for supply of copy of report of vigilance cell. The petitioner shall appear before the Scrutiny Committee on 15th July, 2018 and as such, notice requiring presence of the petitioner is not necessary to be issued.

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

A.M.DHAVALÉ
JUDGE

R.M.BORDE
JUDGE

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