

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7138 OF 2018

Sulbha d/o Siddheshwar Koli

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. V.M. Humbe, advocate for petitioner.
Mrs. M.A. Deshpande, A.G.P. for respondents.

**CORAM : R.M.BORDE &
A.M. DHAVAL, JJ.**
DATE : 4th JULY, 2018

PER COURT:

1. Heard.
2. Petitioner claims to be belonging to 'Koli Mahadev' Scheduled Tribe and is in receipt of tribe certificate issued by the competent authority containing certification accordingly. Tribe certificate issued in favour of petitioner was referred to the Scrutiny Committee for verification, however, the Scrutiny Committee turned down the proposal on the ground that the description of caste in the tribe certificate is incorrectly recorded as 'Koli Mahadeo' and not as 'Koli Mahadev' and, petitioner has been given liberty to secure proper certificate and submit the same for verification once again.
3. The issue raised in the instant petition is no more *res-integra* in view of decision rendered by this Court in Writ Petition No.

4536/2014 and other companion petitions. In view of decision in aforesaid writ petitions, decision of the Scrutiny Committee is upheld. Petitioner undertakes to co-operate the Scrutiny Committee in rendering decision within prescribed timeframe. In the facts and circumstances, we proceed to pass following order :

- a) Petitioner may approach the concerned Scrutiny Committee for issuance of photostat/true copy of the tribe certificate produced by them for verification, within a period of two months from today. The Scrutiny Committee, on receipt of such application, issue true copy/certified copy of the tribe certificate produced by petitioner for verification to the Committee, within a period of four weeks from the date of receipt of such application.
- b) On receipt of photostat / certified copy of the tribe certificate, petitioner shall approach the Sub-Divisional Officer / Competent Authority, with an application for issuance of tribe certificate within a period of six weeks, thereafter.
- c) On receipt of tribe certificate, petitioner shall tender the certificate with the proposal in the prescribed proforma to the Scrutiny Committee within a period of eight weeks and, the Scrutiny Committee shall proceed to determine the claim for verification of the tribe certificate in accordance with the provisions of law and render decision as expeditiously as possible, preferably within a period of eight months from the date of receipt of the proposal.
- d) In the meanwhile, no adverse action shall be taken against petitioner merely on the ground of failure to submit validation certificate and, it would be open for the college authority to take appropriate steps in the event of failure of petitioner to secure validation certificate.

4. Writ petition stands disposed of accordingly.

A.M. DHAVALÉ
JUDGE

R.M.BORDE
JUDGE

dyb