

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

WRIT PETITION NO. 2846 OF 2018

Bhuma Hanmant Singarwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri. S.M. Vibhute, Advocate for the Petitioner.

Smt. A.V. Gondhalekar, Addl.G.P. for Respondents.

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

DATED : 19th March, 2018

PER COURT:

. Heard.

2. Issue notice to the Respondents.

3. Learned Additional Government Pleader waives service of notice for all Respondents.

4. The issue involved in the present writ petition is no longer *res-integra* and is decided by this Court vide order dated 14.08.2014 in Writ Petition No. 4536 of 2014 and other connected writ petitions.

5. In view of the above, we also follow the same course.

6. The view taken by the Scrutiny Committee deserves to be upheld. However, in the facts and circumstances, we proceed to issue certain directions in addition to the directions issued by the Scrutiny Committee as follows.

a) The petitioner, may approach the concerned Scrutiny Committee for issuance of photostat copy of the caste/tribe certificate produced by her for verification, on 22 March, 2018. The scrutiny Committee, on receipt of such application, issue attested/authenticated copy of the caste/tribe certificate produced by petitioner for verification to the Committee within one week.

b) The petitioner, on receipt of photostat copy of the caste/tribe certificate, shall approach the concerned Sub

Divisional Officer/competent authority with an application for issuance of caste/tribe certificate within a period of one week thereafter.

c) The concerned Sub Divisional Officer/Competent Authority, on receipt of the application of the petitioner, together with attested/authenticated photostat copy of the caste/tribe certificate issued earlier, shall proceed to issue caste/tribe certificate in prescribed proforma certifying that the petitioner belong to 'Mannervarlu', Scheduled Tribe. The Sub Divisional Officer/Competent Authority shall issue certificate within a period of one week from the date of receipt of the application.

d) On receipt of Tribe certificate, the petitioner, shall approach the concerned Scrutiny Committee with a proposal in prescribed proforma requesting the Scrutiny Committee to verify the Tribe Certificate and consider her application for issuance of validity certificate. The petitioner shall approach the Scrutiny Committee within a period of one week from the date of receipt of the caste

certificate from the competent authority.

e) On receipt of the proposal from the petitioner, the Scrutiny Committee shall proceed to verify the caste/tribe certificate and take appropriate decision after following procedure prescribed under law in respect of issuance of validity certificate, as expeditiously as possible and preferably within a period of six (6) months from the date of receipt of the proposal/application.

f) The Scrutiny Committee shall accept the proposal directly and shall not refuse to accept the proposal on the ground that same have not been routed through proper channel, either employer or educational institution.

g) The education institution/college or the employer shall not take any adverse action against the petitioner only on the ground of her failure to produce validity certificate and further appropriate action can be taken only subject to result of verification claim, which would be lodged before the Scrutiny Committee, in accordance

with the directions issued in this order.

7. The writ petition is disposed of. No costs.

8. The parties to act upon authenticated copy.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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