

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 10468 OF 2018

1 Sajidkhan s/o Nisrkhan
age 40 years, occ. Business
R/o Railway Station Road,
Kinwat, Tq. Kinwat
Dist. Nanded.

2 Naheed Parveen D/o Nisar Khan
age 34 years, occ. Household
R/o Railway Station Road,
Kinwat, Tq. Kinwat,
Dist. Nanded.

Petitioners

Versus

The Scheduled Tribe Caste Certificate
Verification Committee, Aurangabad
Through tis Member Secretary, Aurangabad
Dist. Aurangabad.

Respondent

Mr. S.M. Vibhute, advocate for petitioners.
Mr. P.S. Patil, AGP for the respondent.

**CORAM : R.M.BORDE &
MANGESH S. PATIL, JJ.
DATE : 14th September, 2018**

ORAL JUDGMENT : (Per R.M. Borde, J.)

1 Rule. Rule made returnable forthwith and heard finally by consent of learned counsel for respective parties.

2 The proposals tendered by the respective petitioners for verification their tribe certificates have been returned back by the respondent Committee for the reason that there is no sufficient

evidence and persuasion by the petitioners for disposal of their proposals.

3 The petitioners, in support of their claim, have tendered validity certificates issued in favour of their father, another brother and real sister. In the normal circumstances, evidence tendered by petitioners is sufficient for consideration of their claim. The Scrutiny Committee ought to have decided the matter on merit. However, surprisingly, the Scrutiny Committee has returned back the proposals for irrelevant consideration. The orders passed by the Scrutiny Committee on 19.04.2018 are therefore quashed and set aside. The matters stand remitted back to the Scrutiny Committee for re-consideration of their claim. The Scrutiny Committee, in observance of the procedure prescribed under the rules, shall decide claim of the petitioners on its own merit afresh, as expeditiously as possible, preferably within one year from today. Since the Scrutiny Committee has returned back the original certificates, the petitioners shall have liberty to tender said certificates to the Scrutiny Committee directly and the Scrutiny Committee shall accept the same.

4 The petition is allowed. Rule is made absolute in above terms. There shall be no order as to costs.

MANGESH S. PATIL
JUDGE

R.M.BORDE
JUDGE

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