

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

905 WRIT PETITION NO. 12183 OF 2018

MUNGLE NIZAMMEHDI A MANNAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mrs. Almas Abdul Quader
AGP for Respondents/State : Mr. P.S. Patil

...

**CORAM : R.M. BORDE &
MANGESH S. PATIL, JJ.**
DATE : 31.10.2018

PC. :-

The proposal for validation of the tribe certificate submitted to the scrutiny committee has been returned back on 22.01.2018 on account of failure on the part of the petitioner to submit the bona fide certificate. In fact, it is the responsibility of the caste scrutiny committee to verify the certificate and pass orders directing validation or otherwise. The matter has to be decided on its own merits. An individual may need the certificate for variety of purposes and it is not for the scrutiny committee to probe into the aspect of the purpose for securing such certificate and it is a matter of common knowledge that an individual may need the validation certificate for contesting the elections or securing benefits under various Government schemes and a student may require the certificate for education purposes.

2. The scrutiny committee shall not refuse to verify the proposal and to consider the issue of validity or otherwise of the certificate merely for the reason that the purpose for which the validation is claimed has not been established. The AGP appearing for the respondent-state informs that if the petitioner re-tenders an appropriate proposal which has been returned, the same would be reconsidered and appropriate orders would be passed after extending an opportunity of hearing to the petitioner and in observance of provisions of law within a period of one month from the date of receipt of the proposal. The petitioner may re-tender the proposal within a period of fifteen days from today and the scrutiny committee shall entertain the proposal which would be tendered directly by the petitioner to the scrutiny committee.

3. The petitioner was admitted to the engineering course as against a vacancy earmarked for reserved category. The petitioner has not bothered to pursue the scrutiny committee for expeditious disposal of the validation claim and is stated to have completed the four year degree course and on account of failure of the petitioner to submit the validation certificate the result has not yet been declared. The declaration of the result by the University would be subject to the decision of the caste scrutiny committee in respect of validation of the tribe / caste certificate of the petitioner and no directions as requested by the petitioner need be issued.

4. In view of above, the writ petition is disposed of.

[MANGESH S. PATIL, J.]

[R.M. BORDE, J.]