

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7949 OF 2018

Makarand Yuvraj Bhamre ...Petitioner
V/s.
State of Maharashtra
Through its Secretary & Ors. ...Respondents

Mr.R.K. Mendadkar for the Petitioner.

Mr.M.V. Mali, AGP for the Respondent-State.

**CORAM : S.C. DHARMADHIKARI &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 07th AUGUST 2018

P.C.:

1. In compliance of the direction of this Court in the order dated 01st August 2018 and the Scrutiny Committee's orders having been set aside, a certificate of validity is issued in favour of the petitioner. The order is thus complied with. The certificate of validity is issued in the following terms :-

“Certificate of Validity

Case No.7/498/Edu/122016/10877 Date : 04 Aug 2018

After considering the documents and associated facts, it is certified that Shri/Smt/Kum/ MAKARAND YUARAJ BHAMRE belongs to the Thakur(44), Scheduled Tribe. Therefore, his/her Scheduled Tribe Certificate bearing No.5 dated 10 Mar 2011 issued by Collector/Sub Divisional Officer/Deputy Collector/Executive Magistrate

SUB DIVISIONAL OFFIER DHULE District Dhule is held VALID by Scrutiny Committee, as per the direction of Hon'ble High Court Bombay in W.P. No.7949/2018 dated 01st August 2018."

2. Once this certificate of validity is issued by the Competent Scrutiny Committee, we do not see any reason for the insertion "as per the direction of this Court of the Hon'ble High Court in Writ Petition No.7949 of 2018 dated 01st August 2018". The certificate of validity is issued in compliance with our order and not as per direction of this Court. The order of the Scrutiny Committee refusing such certificate having been set aside, this is an ordinary and normal consequence. It is the consequential direction which has followed and that has been complied with. The compliance with this direction, therefore, does not mean that there was a compulsion on the Committee to issue the certificate of validity, contrary to law. The certificate of validity, therefore, would be treated as valid and the insertion, as reproduced above, to stand deleted forthwith from this certificate. The corrected certificate of validity shall also be issued within a period of 24 hours from today.

(SMT.BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI,J.)

Nilam
Santosh
Kamble

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Nilam Santosh Kamble
Date: 2018.08.09
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