

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St. NO. 30592 OF 2018**

Pradeep Bhaurao Thakur	..Petitioner
Vs.	
The State of Maharashtra & Anr	..Respondents

**WITH
WRIT PETITION NO.10240 OF 2018**

Pradeep Bhaurao Thakur	..Petitioner
Vs.	
The State of Maharashtra & Anr	..Respondents

**Ms. Chaitrali Deshmukh a/w Mr. Sachin Gite for the Petitioner in both the
Petitions
Mrs. R. M. Shinde AGP for the Respondent State**

**CORAM :R. M. SAVANT, &
NITIN W. SAMBRE, JJ
DATE : 30th OCTOBER, 2018**

P.C.

1 The above Writ Petition No.10240 of 2015 has been filed by the
Petitioner abovenamed seeking the relief that his tribe claim be directed to be
decided by the Respondent No.2 Schedule Tribes Certificate Scrutiny
Committee, Nashik (for short STCS Committee) , within a particular time
frame.

2 By way of Writ Petition St.No.30592 of 2018, the Petitioner seeks
to challenge the show cause notice dated 6-10-2018 which has been issued to

the Petitioner on the ground that the Petitioner has not produced the caste validity certificate within the stipulated time. It seems that the Petitioner has received a fresh show cause notice on 24-10-2018 from his employer calling upon the Petitioner to submit his caste validity certificate within 10 days or coercive action will be taken against the Petitioner. The said notice could not be annexed to the above Petitions as it is received post the filing of the above Writ Petitions.

3 It is required to be noted that the Petitioners tribe claim as belonging to Thakur Scheduled Tribe was rejected by the STCS Committee by order dated 17-4-2012. The said order came to be challenged by the Petitioner by way of Writ Petition No.7793 of 2013. A Division Bench of this Court (A.S. Oka and S.C. Gupte JJ) by order dated 13-11-2013 set aside the said order dated 17-4-2012 passed by the STCS Committee and remanded the matter back to the Respondent No.2 STCS Committee for a denovo consideration of the Petitioner's tribe claim. Hence the tribe claim of the Petitioner is awaiting consideration of the STCS Committee since January / February 2014. In view of the fact that the Petitioner has not produced his validity certificate that the Deputy Commissioner of Police, Head Quarters, Nashik has issued the show cause notice to the Petitioner.

4 In view of the fact that the Petitioner's tribe claim is pending

before the STCS Committee since January / February 2014, it would be just and proper to direct the STCS Committee to decide the tribe claim of the Petitioner latest by 31-3-2019. Until the Petitioner's tribe claim is decided by the STCS Committee, no action to be taken against the Petitioner for non production of caste validity certificate within the time stipulated.

5 With the directions as aforesaid, the Writ Petitions are disposed of.

[NITIN W. SAMBRE, J]

[R.M.SAVANT, J]