

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

WRIT PETITION NO.322 OF 2019

**YOGESH NAMDEV KOLI
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE NANDURBAR
AND ANOTHER**

Mr. S.S.Phatale, Advocate for the petitioner
Mrs. R.P.Gour, AGP for the respondent/State

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 09.01.2019

P.C. :-

1. Heard learned counsel for the petitioner.
2. The facts emerge from the perusal of the material placed on record and on the backdrop of the submissions of the counsel are the petitioner had approached the Sub-Divisional Officer, Shahada for issuance of caste certificate in favour of the petitioner that the petitioner is belonging to 'Tokare Koli' community (Scheduled Tribe). The Sub Divisional Officer by order dated 06.01.2017 rejected the application assigning the reasons and further informed the petitioner that the petitioner if aggrieved by the decision may avail the remedy of an appeal before the Competent Scrutiny Committee within stipulated period of 30 days. The petitioner immediately submitted an appeal before the Committee. Copy of the appeal is placed on record. The appeal was filed before the Committee on 31.01.2017.

3. Learned counsel then submitted that the delay in decision by the Committee would seriously prejudice the interest of the petitioner who is contesting the claim for appointment.

4. Though the learned counsel prayed for directions to the Sub-Divisional Officer to issue caste certificate in favour of the petitioner, we are unable to accept this submissions of the learned counsel. In our opinion, the petition itself can be disposed of by issuing direction to respondent No.1 Committee to decide the appeal expeditiously and not later than 12 weeks from the date of order of this Court as it is pending before the Committee since January, 2017.

5. With these directions the petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]