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

WRIT PETITION NO. 787 OF 2019

Amol s/o Venkat Yelleboinwad
Age: Minor, Occ: Student,
Through U/g Mashnaji s/o Yeshwanta Yelleboinwad,
Age: 35 years, Occ: Agri.,
R/o., Masalga, Tq. Kandhar, Dist. Nanded. ..PETITIONER

VERSUS

1. The State of Maharashtra
Through its Principal Secretary
Tribal Development Department,
Mantralaya, Mumbai-32.
2. The Scheduled Tribe Caste Scrutiny/
Verification Committee, Aurangabad
Through its Joint Commissioner.
3. The Competent Authority/Sub Divisional
Magistrate, Kandhar, Dist. Nanded. ..RESPONDENTS

Mr Ganesh R. Jadhav, Advocate h/f Mr O.B. Boinwad, Advocate for
petitioner;
Ms R.P. Gour, A.G.P. for respondent/State;

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

DATE : 13th February, 2019

ORAL ORDER:

Heard learned Counsel appearing for the petitioner.

2. The petitioner, who is a minor student, is before this Court, by

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way of present writ petition through his natural guardian - father of the petitioner. The petitioner had approached the Sub Divisional Officer for issuance of caste certificate that he belongs to 'Koli Mahadev, Scheduled Tribe. On considering material placed before the authority along with the application, Sub Divisional Officer could not find any favour with the petitioner and the application was rejected permitting the petitioner to avail remedy of appeal before the competent Scrutiny Committee. The petitioner approached Committee and submitted appeal. Though the appeal was prepared on 16th October, 2018, same was filed in the office of Committee on 29th October, 2018. This fact reveals from the perusal of the endorsement on the application.

3. Learned Counsel for the petitioner submits that as the petitioner is prosecuting his studies, the petitioner is desirous of early decision of the appeal and delay in decision of the appeal and delay in decision of the appeal would cause certain hindrance in the academic career of the petitioner. As such, learned Counsel for the petitioner prays for directions to the Committee to decide the appeal forthwith.

4. Perusal of the copy of the appeal placed on record shows that the appeal is preferred by the petitioner beyond stipulated period and in the prayers of appeal itself, it is stated that the delay of 300 days in filing the appeal be condoned.

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5. Considering these facts, we dispose of the petition at admission stage with directions to respondent No. 2 - Committee to decide the appeal filed by the petitioner and accepted by the Committee on 29th October, 2018 as early as possible and within eight (8) weeks from the date of this order, needless to state on merits of the appeal and also considering the aspect of delay.

6. With these directions, the petition is disposed of.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)