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

WRIT PETITION NO. 5008 OF 2019

Mrunmay S/o Sanjay Suryawanshi
Age 16 years, Occ. Student,
U/g of father, viz., Sanjay S/o Gajmal Suryawanshi,
Age – 46 years, Occ. Service
R/o Plot No. 22, Siddhi Vinayak Colony
Deopur, Dhule, Tq. & Dist. Dhule ..PETITIONER

VERSUS

1. The State of Maharashtra
Tribal Development Department
Mantralaya, Mumbai -32
Through its Secretary.
2. The Scheduled Tribe Certificate Scrutiny
Committee,
Nandurbar Division, Nandurbar
Through its Member Secretary ..RESPONDENTS

Mr S. C. Yeramwar, Advocate for petitioner;
Mrs P. V. Diggikar, A.G.P. for respondents

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 25th April, 2019

ORAL ORDER:

At the outset, learned Counsel appearing on behalf of the petitioner orally prays for amendment to the petition. It is submitted that inadvertently a document at page 35 is not incorporated in the second set of the petition. Oral prayer for amendment for placing on record the document is allowed. Amendment be carried out forthwith.

(2)

2. A limited grievance is raised in the petition. The petitioner had submitted an on line application for validation of the caste claim. The copy of acceptance of on line application is placed on record. A copy of the caste certificate issued by the competent Officer, Dhule is also placed on record at Exh.A , which is in form C.

3. Learned Counsel by inviting our attention to the objections raised by the Scrutiny Committee placed on record at Exh.I submitted that the Scrutiny Committee has raised these objections even without verifying the documents and these objections are only mechanically raised. The petitioner then submitted a representation to the Scrutiny Committee on 30th March, 2019, as the Committee refused to accept the documents and further refused to proceed for validation of the claim. Learned Counsel Counsel also invited our attention to the order dated 19th September, 2018, passed by this Court in Writ Petition No.10554 of 2018, to submit that the petitioner is similarly circumstanced.

4. In view of the above referred facts, we deem it appropriate to dispose of the petition at this stage.

5. Issue notice to respondents, returnable forthwith.

6. Learned A.G.P. waives service of notice on behalf of respondent nos.1 and 2.

(3)

7. The petition, thus, stands disposed of with directions to respondent no.2 Committee to accept the proposal in the form of hard copy that would be tendered by the petitioner within a period of two weeks from today and to proceed with an exercise of scrutiny and then render a decision, needless to state on merits, as expeditiously as possible and preferably within nine months from the date of receipt of order of this Court.

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)

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