

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

CONTEMPT PETITION NO.687 OF 2018 IN
WRIT PETITION NO.4491 OF 2017

Makarand s/o Sayanna Shengulwar

...PETITIONER

VERSUS

D.G. Pawara, Deputy Director & Member
Secretary, Scheduled Tribe Caste Certificate
Verification Committee, Aurangabad

...RESPONDENTS

.....
Shri S.M. Vibhute, Advocate for petitioner
Shri V.S. Badakh, A.G.P. for State
.....

CORAM: PRASANNA B. VARALE AND
 R.G. AVACHAT, JJ.

DATED : 24th JULY, 2019.

ORAL ORDER :

With the grievance of non-compliance of order of this Court, dated 4/4/2017, whereby this Court directed the respondent Scrutiny Committee to take appropriate decision by following due procedure on receipt of the proposal from the petitioner within stipulated period of one year, no decision was taken, petitioner filed present Contempt Petition. Simple notice was issued to the respondents on 16/10/2018. In response to notice, affidavit-in-reply was filed on behalf of respondent Dinkar Jirya Pawara, Deputy Director (R) and Member Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee, Aurangabad. It is stated in the affidavit-in-reply that the Committee has conducted special drive for deciding the claims of the students seeking admission to medical

and other professional courses and due to pendency of the claims as well lack of sufficient staff, the claim could not be decided within stipulated period and now the petitioner is heard. It is further stated in the affidavit-in-reply that, the claim of the petitioner is closed for orders and the decision will be taken within 8 to 10 days. The affidavit-in-reply was filed in this Court on 10/6/2019.

2. Today learned A.G.P., on instructions, submitted before us that, the claim of the petitioner is decided on 18/6/2019. Mr. Vibhute, the learned counsel for the petitioner admits the fact of decision and he submits that, the Committee invalidated the claim of the petitioner in spite of the claim of father of petitioner was allowed by the Committee itself in view of the orders of the Hon'ble Apex Court.

3. Considering the fact that now the claim of petitioner is decided, though belatedly, by assigning the reasons, and unconditional apology is also tendered, we deem it appropriate to dispose the Contempt Petition. Needless to state that, if the petitioner is aggrieved by the order of the Scrutiny Committee, he may avail appropriate remedy to challenge the order by approaching the competent forum. Contempt Petition is disposed of accordingly.

(R.G. AVACHAT)
JUDGE

(PRASANNA B. VARALE)
JUDGE

fmp/-