

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

WRIT PETITION NO.11480 OF 2017

Kalpesh s/o Bhaskarrao Chavan,
Age: 35 years, Occ: Service,
R/o. Mehunbare, Tq. Chalisgaon,
Dist. Jalgaon

.. PETITIONER

VERSUS

1. State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32

2. The Sub Divisional Officer,
Chalisgaon, Tq. Chalisgaon,
Dist. Jalgaon

3. Scheduled Tribe Certificate
Scrutiny Committee,
Nashik Division, Nashik
Through its Member Secretary

.. RESPONDENTS

Mr B.R. Jaybhar, Advocate for the petitioner;
Mrs M.A. Deshpande, A.G.P. for respondents

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

DATED : 11th APRIL, 2019

ORAL ORDER:

Heard learned Counsel for the petitioner and learned A.G.P. for respondent Nos. 1 to 3.

2. It is the case of petitioner that he belongs to 'Koli Mahadeo, scheduled tribe' and since his caste certificate which he was holding found to be issued by the authority who was not competent in law, the Scrutiny Committee, on earlier occasion refused to verify the same.

3. The petitioner was given an option to approach before the competent authority for getting issued caste certificate certifying that he belongs to Koli Mahadeo.

4. It is the case of petitioner that he approached respondent No.2, who by impugned order dated 5th January, 2016 refused to issue certificate. As a consequence, an appeal under the provisions of Maharashtra Scheduled

Castes, Scheduled Tribes, De-Notified Tribes, (Vimukta Jatis) Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of issuance and verification of) Caste Certificate Act, 2000 came to be preferred on 5th July, 2016 which is informed to be pending before respondent No. 3 Scrutiny Committee.

5. In the aforesaid backdrop, learned Counsel for the petitioner has prayed expeditious disposal of the appeal which is pending before respondent No. 3 - Scrutiny Committee. The petitioner submits that he is in need of caste certificate and validity thereof for his service purpose.

6. Considering the aforesaid factual backdrop, the case for showing indulgence is made out.

7. Respondent No.3 - Scrutiny Committee is directed to decide an appeal preferred by the petitioner referred

supra within period of nine months from the date of production of the order of this Court.

8. Needless to clarify that the petitioner should furnish additional copy of Annexure-F i.e. appeal dated 5th July, 2016 to the Scrutiny Committee within period of three weeks from today.

9. The petition stands disposed of.

10. In view of disposal of petition, civil application stands disposed of accordingly.

[NITIN W. SAMBRE, J.]

[PRASANNA B. VARALE, J.]