

Pradnya Bhogale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11125 OF 2013

Ramchandra Maruti Shirage	... Petitioner
Vs.	
Scheduled Tribe Certificate Scrutiny Committee, Pune Region and Ors.	... Respondents

Mr. Pratap Patil I/b. R.M. Momin for the petitioner.
Ms. R.M. Shinde, AGP for State.

**CORAM : RANJIT MORE &
M. S. KARNIK, JJ.**

DATE : 22nd NOVEMBER, 2019.

P. C. :

Heard Mr. Patil, learned counsel for the petitioner and learned
AGP.

2. By the impugned order dated 14.05.2013 respondent No.1-
Scheduled Tribe Certificate Scrutiny Committee, Pune Region decided the
claim of the petitioner as well as the petitioner's brother-Yallappa Maruti
Shirage. Both the present petitioner and his brother-Yallappa filed
separate petitions challenging the impugned order in Writ Petition
No.11125 of 2013 and Writ Petition No.6070 of 2013, respectively.

3. By the order dated 27.07.2016 passed in the present Writ
Petition, the Division Bench of this Court directed the present Writ Petition

No.11125 of 2013 to be heard along with Writ Petition No.6070 of 2013. Despite this directions, however, Writ Petition No.6070 of 2013 only was placed before the Division Bench consisting of Justice Shantanu Kemkar and Justice Nitin W. Sambre for orders on 04.07.2018. The Division Bench of this Court after hearing all concerned was pleased to quash and set aside the order dated 14.05.2013 and the matter is restored back to the respondent No.1-Scheduled Tribe Certificate Scrutiny Committee, Pune Region to consider Yallappa's caste claim in the light of seven documents which are referred in the paragraph 7 of the said order.

4. These seven documents in paragraph 7 of the Writ Petition No.6070 of 2013 are relevant even in so far as the present petitioner's case is concerned since he is brother of Yallappa. All the facts and issues involved in both these Writ Petitions are similar. For the same reasons mentioned in Writ Petition No.6070 of 2013, we dispose of this petition.

5. Therefore, in above circumstances we dispose of this petition by passing the following order :-

ORDER

(1) The impugned order dated 14.05.2013 passed by the respondent No.1-Scheduled Tribe Certificate Scrutiny Committee, Pune Region is quash and set aside.

(2) The claim of the petitioner as belonging to 'Koli Mahadev Scheduled Tribe' for issuance of validity certificate is restored back to the respondent No.1-Scheduled Tribe Certificate Scrutiny Committee, Pune Region.

(3) The petitioner shall appear before the Scrutiny Committee on 02.12.2019 along with his entire documentary evidence and written notes. As such, notice to the petitioner is dispensed with.

(4) Considering that the claim of the petitioner is pending since long, the respondent No.1-Scheduled Tribe Certificate Scrutiny Committee, Pune Region is directed to decide the petitioner's Tribe Claim as expeditiously as possible, in any case within a period of four months from the date of first appearance of the petitioner.

6. Writ Petition stands disposed of accordingly.

[M. S. KARNIK, J.]

[RANJIT MORE, J.]