

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 944 OF 2019**

Gangasagar Shriram Bhusewad	...Petitioner
Versus	
State of Maharashtra & ors.	...Respondents

Mr. A. R. Kapadnis, for the Petitioner.
Mrs. M. P. thakur, AGP for the State/Respondent.

**CORAM: RANJIT MORE &
N. J. JAMADAR, JJ
DATED: 4th OCTOBER, 2019**

PC:-

1. Mentioned for production board. Taken up on production board in view of urgency.
2. Mr. Kapadnis, the learned Counsel for the petitioner, at the outset, makes a statement that he is restricting his relief in terms of prayer Clause (B) only. Prayer Clause (B) reads as follows:

“(B) Issue Writ of Mandamus or other appropriate writ or order in the like nature thereby direct the Respondent No.2 – Scrutiny Committee to expeditiously decide Tribe claim of petitioner within stipulated period.”

3. The record shows that as back as 18th March, 2013, respondent no.3 – Divisional Joint Director, Agricultural Department, Kolhapur, informed respondent no.2 – the Scheduled Tribe Certificate Scrutiny Committee, Aurangabad Division, Aurangabad, to scrutinize the caste certificate of the

petitioner. It is the grievance of the petitioner that though the reference was made long back in the year 2013 yet respondent no.2 has not scrutinized the caste claim. In above circumstances, we are of the considered view that this petition can be disposed of by directing respondent no.2 to dispose of the petitioner's caste claim as expeditiously as possible and preferably within six months from today. Ordered accordingly.

4. It is made clear that we have not gone into the merits of the matter and all rights and contentions of the respective parties are kept expressly open to be agitated before the appropriate authority.

5. In order to enable respondent no.2 to comply with this order, the petitioner shall remain present before respondent no.2 along with copy of his caste certificate as well as copy of this order, on 14th October, 2019 at 11.00 am.

[N. J. JAMADAR, J.]

[RANJIT MORE, J.]