

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

WRIT PETITION NO. 3587 OF 2020

Shyam rao Ernna Shahu

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Apparao Yenegure, Advocate for the Petitioner.

Mrs. Vaishali N. Jadhav-Patil, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 04TH MARCH 2020.

FINAL ORDER :

. The learned counsel for the petitioner submits that, the petitioner has submitted proposal for validation of his tribe claim.

2. Said proposal is rejected on the ground that the spelling of the tribe in the tribe certificate is incorrect. The petitioner has applied to the Sub Divisional Officer for getting corrected tribe certificate.

3. The petitioner shall apply to the Scrutiny Committee for getting the attested tribe certificate. On application from the petitioner, the Scrutiny Committee shall issue the attested tribe certificate with the incorrect spelling submitted by the petitioner to the petitioner within a period of one week. On receipt of the

same, the petitioner shall submit the attested tribe certificate to the Sub Divisional Officer. The Sub Divisional Officer on receipt of the attested tribe certificate shall verify the same and thereafter issue correct tribe certificate to the petitioner within two weeks. On receipt of corrected tribe certificate, the petitioner shall submit the same to the committee within two weeks thereafter. The Committee thereafter shall verify the proposal for validation of the tribe certificate expeditiously.

4. The learned counsel for the petitioner submits that, the petitioner has been brought on supernumerary post without notice to the petitioner and without hearing to the petitioner. In view of that, the impugned order is quashed and set aside. In case respondents want to take action against the petitioner, then the respondents shall issue notice to the petitioner, call for his say and then only take action against the petitioner.

5. In view of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/March 20