

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1539 OF 2020**

Amol Dattatray Patil

...Petitioner

Versus

Schedule Tribe Certificate Scrutiny Committee, ...Respondents
Konkan Division, Thane and ors

Mr. Prabhanjan Gujar for the petitioner.

Mr. B. V. Samant, AGP, for the respondent-State.

**CORAM : B.P DHARMADHIKARI &
N. R. BORKAR, JJ.**

DATE : 17th February 2020.

P.C. :

1. This is second round of litigation. In earlier round, as certificate spelt caste wrong, the petitioner was required to obtain a proper / correct certificate.
2. The certificate, as belonging to Koli Mahadev De-notified Schedule Tribe is receiving consideration, at the hand of respondent no.1.
3. Period of one year allowed by Section 10-1A of the Maharashtra Village Panchayat Act, expires on 20th February 2020.
4. Prayer is to direct Committee to decide validity forthwith.

5. Learned APP on instructions states that the Committee needs atleast one month to complete this exercise.

6. According to the petitioner, cousin viz. Sister Sheetal and brother Sagar have necessary validity. Respondent no.1-Schedule Tribe Certificate Scrutiny Committee, can keep this fact in mind.

7. We cannot expect the Committee to act with haste, therefore, we grant time as prayed for by respondent no.1-Committee.

8. It is also apparent, that if, as per statutory mandate, the seat occupied by the petitioner is deemed vacant, fresh election to fill in the same will require some time. Such election shall be obviously subject to outcome of the verification of caste claim of the petitioner. We also find it proper to permit the petitioner to contest such fresh election if he is so advised and it shall be without prejudice to his rights and contentions in the present matter.

9. The petitioner to appear before respondent no.1 by 12.00 O'clock on 18th February 2020. The Committee shall attempt to undertake scrutiny as per law and complete it within next one month.

10. Thus, subject to above observations and liberty, we partly allow the petition and dispose it of.

[N. R. BORKAR, J.]

[B.P DHARMADHIKARI, J.]