

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

919 WRIT PETITION NO.2501 OF 2021

GANGADHAR HANMANTRAO YAMAWAD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Thorat Chandrakant R.

AGP for Respondents/State: Mr. S. G. Karlekar

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

DATE: 09th FEBRUARY, 2021

PER COURT:

1. Heard.

2. The issue involved in the present matter is no longer res integra in view of the judgment of Division Bench of this Court in Writ Petition No. 4536 of 2014 and other connected matters dated 14th August, 2014. We also adopt the same course.

3. In view of the above, we also follow the same course.

4. For the reasons recorded above, view taken by the Scrutiny Committee deserved to be upheld. However, in the facts and circumstances, we

proceed to issue certain directions in addition to the directions issued by the Scrutiny Committee we also follows:

(a) The petitioner may approach the concerned Scrutiny Committee for issuance of photostat copy of the caste / tribe certificate produced by him for verification, within a period of two weeks from today. The Scrutiny Committee, on receipt of such application, issue attested/authenticated copy of the caste/tribe certificate produced by petitioner for verification to the Committee.

(b) The petitioner, on receipt of photostat copy of the caste/tribe certificate, shall approach the concerned Sub Divisional Officer/competent authority with an application for issuance of caste/tribe certificate within a period of two weeks, thereafter.

(c) The concerned Sub Divisional Officer / Competent Authority, on receipt of the

application of the petitioner, together with attested / authenticate photostat copy of the caste/tribe certificate issued earlier shall, after verifying that the earlier caste/tribe certificate was issued by the Competent Authority, proceed to issue caste/tribe certificate in prescribed proforma certifying that the petitioner belongs to 'Mannervarlu', Scheduled Tribe. The Sub Divisional Officer/Competent Authority shall issue certificate within a period of two weeks from the date of receipt of the application.

(d) On receipt of Tribe certificate, the petitioner, shall approach the concerned Scrutiny Committee with a proposal in prescribed proforma requesting the Scrutiny Committees to verify the Tribe Certificate and consider his application for issuance of validity certificate. The petitioner shall approach the Scrutiny Committee within a period of two weeks from the date of receipt

of the caste certificate from the competent authority.

(e) On receipt of the proposal from the petitioner, the Scrutiny committee shall proceed to verify the caste/tribe certificate and take appropriate decision after following procedure prescribed under law in respect of issuance of validity certificates, as expeditiously as possible, preferably within a period of six months from the date of receipt of the proposal/application.

(f) The Scrutiny Committee shall accept the proposal directly and shall not refuse to accept the proposal on the ground that same has not been routed through proper channel, either employer or educational institutions.

5. Writ Petition stands disposed of accordingly.
No costs.

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