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

907 CIVIL APPLICATION NO.11181 OF 2021
IN WP/1740/2012 WITH WP/1740/2012

JAYWANTRAO GANGADHARRAO AHIRE, DECEASED
THR. HIS L.R.s
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr S. C. Yeramwar, Advocate for applicants;
Mr S. R. Yadav, A.G.P. for respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 16th November, 2021

PER COURT:

1. The sole petitioner has passed away. This application has been moved by his widow, an adult son who is a student, the minor daughter who is also a student and an aged mother, for being brought on record. Delay of 241 days has been caused in filing this application.

2. The deceased petitioner was before us in the petition, being aggrieved by the impugned order of the Scheduled Tribe Certificate Scrutiny Committee, Aurangabad Division, Aurangabad, dated 17/12/2011, vide which, the validation claim

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of the petitioner was negated only because he obtained the caste certificate from the Competent Authority at Aurangabad instead of acquiring such a certificate from the Competent Authority at Dhule. Liberty was granted to him to obtain a certificate from Dhule and move for validation. The adult son of the deceased petitioner has obtained a certificate from Dhule and his claim for validation is pending before the Competent Scrutiny Committee.

3. In view of the above, the civil application is allowed by condoning the delay. The legal heirs be brought on record in the petition forthwith.

4. The learned Advocate for the legal heirs/petitioners submits that due to the demise of the original petitioner, the widow is now receiving regular pension and the petition is rendered infructuous. He, however, expresses an apprehension that because of the technical reason resulting in the rejection of the claim of the deceased, the claim of the adult son should not be affected.

5. We find that as the adult son is said to have acquired the certificate from the Competent Authority, the objection as regards

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the territorial jurisdiction of the authority in issuing such a certificate would not survive. This petition is, therefore, disposed off.

6. For the sake of brevity, we observe that any validation claim of the adult son of the deceased petitioner or of his daughter, if already filed or likely to be filed in future, would be considered by the Competent Committee on it's own merits.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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