

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

WRIT PETITION NO. 9197 OF 2021

Uday Tulshiram Suryawanshi .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Madhur A. Golegaonkar, Advocate for the Petitioner.

Shri S. W. Mundhe, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
R. N. LADDHA, JJ.**

DATE : 23RD AUGUST, 2021.

FINAL ORDER :

. The tribe claim of the petitioner was referred for verification before the Scrutiny Committee. The Tribe certificate was issued in favour of the petitioner by the Executive Magistrate, Jamner, Dist. Jalgaon. The committee has concluded that the petitioner is resident of Rembhote, Tq. Raver. As such, tribe certificate is not issued by the competent authority. The Committee has not decided the proceeding on merits and has directed the petitioner to obtain the tribe certificate from the competent authority.

2. The petitioner shall make an application to the Committee for issuance of the attested photostat copy of the tribe certificate within a period of one (01) week from today. On receipt of application, the committee shall issue the attested photostat copy

of the tribe certificate produced by the petitioner with it within a period of one (01) week thereafter. The petitioner shall within a period of one (01) week after receipt of the attested copy of tribe certificate from the Committee shall file an application for issuance of tribe certificate with the Sub Divisional Officer, Raver. The Sub Divisional Officer, Raver shall verify the genuineness of the tribe certificate produced by the petitioner and issued by the Executive Magistrate Jamner, upon verifying the genuineness of the same shall issue the tribe certificate in proper Form – C to the petitioner, expeditiously and preferably within a period of four (04) weeks from the date of receipt of application.

3. On receipt of the tribe certificate from the S. D. O. Raver, the petitioner shall submit the same expeditiously and preferably within a period of two (02) weeks from the date of receipt of the tribe certificate before the Scrutiny Committee. The committee shall thereafter verify the tribe certificate produced by the petitioner from the S. D. O. on its own merits, in accordance with law, expeditiously and preferably within a period of six (06) months from the date of receipt of the same.

4. Till the validation proceeding is pending, the employer may not take adverse action against the petitioner. The employer may take further course of action depending upon the judgment that may be delivered by the Committee.

5. In case, the employer finds that, the petitioner is

prolonging the proceeding, the employer may take appropriate steps against the petitioner.

6. The writ petition accordingly is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Aug.21