

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

959 Writ Petition No.9293 Of 2021

Shirishkumar Bhagwan Thakre

.. Petitioner

Versus

The State Of Maharashtra and Others

.. Respondents

...

Mr S.R. Barlinge, Advocate for the Petitioner

Mr P.K. Lakhotiya, AGP for the Respondents- State

...

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

DATE : 24-08-2021

PER COURT : -

1. The caste certificate issued to the petitioner was sent for verification. The Scrutiny Committee did not decide the proceeding on merits on the ground that the spelling of the tribe is incorrectly spelled in the caste certificate and the caste certificate is not in proper form 'C'.

2. Heard Mr Barlinge, learned Counsel for the petitioner and learned AGP for the respondents.

3. Considering that the matter is not decided on merits, but only on the technical grounds we pass the following order:

ORDER

- (i) The impugned order is quashed and set aside.
- (ii) The petitioner shall apply to Respondent No.2 / Committee for issuance of the attested copy of the tribe certificate within one week from today.
- (iii) On receipt of the application, the Committee shall issue the attested copy of the tribe certificate to the petitioner within one week. The petitioner thereafter within two weeks shall file an application with the concerned SDO for issuance of the Tribe certificate with the correct spelling of the tribe and in the proper form 'C'.
- (iv) The concerned Sub Divisional Officer shall, after verifying the said certificate, issue corrected tribe certificate to the petitioner in the proper form and proper spelling of the tribe within a period of four weeks from the date of receipt of the application.
- (v) After receipt of the certificate in the proper form and with the proper spelling of the tribe, the same shall be submitted to the Committee within a period of two weeks.

(vi) The Committee shall thereafter endeavour to decide the proceeding afresh, expeditiously and preferably within six months.

4. As we have already issued further directions on the basis of the impugned order, the employer may not take further action on the ground that the validity certificate is not submitted, till the validation proceedings of the petitioner are decided.

5. With these observations, the writ petition stands disposed of.
No costs.

[R.N. LADDHA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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