

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

940 WRIT PETITION NO.7464 OF 2021

ATISH KESHVRAO PUDALWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. C.R. Thorat
AGP for Respondents /State : Mr. K.N. Lokhande

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

DATED : 09/07/2021.

PER COURT :

. Leave is granted to add respondent No. 3. The learned A.G.P. waives notice for respondent No. 3.

2. Heard.

3. The issue involve 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.

4. For the reasons recorded above, view taken by the Scrutiny Committee deserves 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 follow :-

(a) The petitioner may approach the concerned Scrutiny Committees for issuance of photostat copy of the caste/tribe certificate produced by him for verification, within a period of four months 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 applications of the petitioner, together with attested/authenticated photostat copy of the caste/tribe certificate issued earlier shall, after verifying that the earlier caste/tribe certificate was issued by the Tahsildar, proceed to issue caste/tribe certificate in prescribed proforma certifying that the petitioner belongs to 'Mannervarlu', Scheduled Tribe. The Sub Divisional Officers/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 Committees with a proposal in prescribed proforma requesting the Scrutiny Committees to verify the Tribe Certificate and consider his application for issuance of validity certificates. 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 proposals directly and shall not refuse to accept the proposals on the ground that same have not been routed through proper channel, either employer or educational institutions.

3. The writ petition stand disposed of accordingly. No costs.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

ssc/