

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 4320 OF 2021

Subhash Krushnarao Khartadkar,
Aged about 60 years,
Occu. - Retired teacher,
R/o. Sirso, Po. Sirso, Murtizapur,
Tq. Murtizapur, Dist. Amravati.

.... **PETITIONER**

// **VERSUS** //

The Member/Secretary,
Scheduled Tribe Caste Scrutiny
Committee, Amravati Division,
Amravati.

.... **RESPONDENT**

Shri A. J. Gilda, Advocate for petitioner.
Shri A. M. Kadukar, A.G.P. for respondent.

**CORAM : SUNIL B. SHUKRE AND
ANIL L. PANSARE, JJ.**

DATED : 28.10.2021

ORAL JUDGMENT : (Per Sunil B. Shukre, J.)

1. Heard Shri Gilda, learned counsel for the petitioner and Shri Kadukar, learned A.G.P. who appears by waiving notice for respondent.

2. **Rule.** Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.

3. The petitioner is a member of the Gram Panchayat, who was elected on 18th January 2021. At the time of submission of his

nomination form, the petitioner had submitted his application for scrutiny of his social status and acknowledgment of receipt of the same was also issued to him on 21st December, 2020. Under the provisions of law as contained in Section 10-1A of the Maharashtra Village Panchayats Act, 1959, an elected Member is required to submit a validity certificate within a period of 12 months from the date on which he is declared elected. Such being the requirement of law, we are of the view that the Scrutiny Committee must also respond appropriately to the requirement of law and accordingly, we are of the further view that this is a fit case wherein necessary directions can be issued to the respondent-Committee.

4. Accordingly, we allow the petition and direct the respondent-Committee to decide the Tribe claim of the petitioner within a period of two months from the date of appearance of the petitioner before the Committee.

5. The petitioner is directed to appear before the Committee on **01st November, 2021.**

Rule accordingly.

(ANIL L. PANSARE, J.)

(SUNIL B. SHUKRE J.)