

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4027 OF 2022

Subhash s/o. Manik Thakur,
Age 54 years, Occu. Service,
R/o. Plot No. 42, Tarachand Nagar,
Talwade Road, Amalner,
Taluka Amalner, District Jalgaon.

.. Petitioner

Versus

1. The State of Maharashtra
Department of Tribal Development
Mantralaya, Mumbai – 32
Through its Secretary

2. The Scheduled Tribe Caste Certificate
Scrutiny Committee,
Nandurbar Division, Nandurbar
Through its Member Secretary

.. Respondents

...

**CORAM : R. D. DHANUKA &
S. G. MEHARE, JJ.**

DATE : 28-04-2022

ORAL JUDGMENT

(PER : R. D. DHANUKA) :-

Rule. Learned A.G.P. waives service of notice for respondents. Rule made returnable forthwith. Heard finally with consent of the parties.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks writ of *mandamus* against the respondent no. 2 – Scheduled Tribe Certificate Scrutiny Committee, Nandurbar to decide tribe claim of the petitioner expeditiously. The tribe claim of the petitioner is pending since 15.11.2021.

3. We accordingly direct the respondent no. 2 - Scrutiny Committee to decide the said tribe claim of the petitioner within six months from today without fail. The order that would be passed by the respondent - Committee shall be communicated to the petitioner within one week from the date of passing of the order. If the tribe claim of the petitioner is accepted, the committee shall issue tribe validity certificate to the petitioner within one week from the date of passing of the order. If the tribe claim of the petitioner is invalidated / rejected, then the petitioner would be at liberty to file appropriate proceedings.

4. The petitioner is directed to appear before the respondent - Committee on 04.05.2022 at 11.00 a.m.

5. It is made clear that, this Court has not expressed any opinion on the merits of the matter.

6. The writ petition is allowed in aforesaid terms. No order as to costs.

7. Rule is made absolute in aforesaid terms.

8. The parties shall act on the authenticate copy of this order.

9. The learned A. G. P. shall communicate this order to the respondent - Committee for information and compliance.

(S. G. MEHARE)
JUDGE

(R. D. DHANUKA)
JUDGE