

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4335 OF 2022

Rajendra Bhagwan Saindane,
Age 49 years, Occu. Service,
R/o. Plot No. 32, Gut No. 347,
Pandurang Nagar, Pimpra Shivar,
Jalgaon, Taluka and District Jalgaon. .. Petitioner

Versus

The Scheduled Tribe Certificate
Scrutiny Committee, Nandurbar
through its Member Secretary .. Respondent

...

Mr. Bahusaheb S. Deshmukh, Advocate for the Petitioner
Mr. S. P. Tiwari, A.G.P. for the respondent

...

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

DATE : 26-04-2022

ORAL JUDGMENT
(PER : R. D. DHANUKA) :-

Rule. Learned A.G.P. waives service of notice for respondent. 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 – Scheduled Tribe Certificate Scrutiny Committee,

Nandurbar to decide tribe claim of the petitioner expeditiously, and more particularly, within one month.

3. It is submitted by the learned counsel for the petitioner that, the petitioner has applied for tribe validity certificate on 27.07.2011. The respondent committee issued notice of personal hearing on 10.06.2014. Petitioner had submitted reply to the show-cause notice on 12.08.2014. The tribe claim of the petitioner has not been decided since then and the same is still pending before the respondent - Committee.

4. We accordingly direct the respondent - 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.

5. The petitioner is directed to appear before the respondent - Committee on 05.05.2022 at 11.00 a.m.

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

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