

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9106 OF 2021

Mamata Vijay Thakur	]	
Residing at – Thakurwadi,	]	
Karivade Road,	]	
Madkhol, Taluka – Sawantwadi	]	
District- Sindhudurg,	]	
Maharashtra – 416 510.	]	...Petitioner

Vs.

1.The State of Maharashtra through	]	
The Secretary, Social Justice and	]	
Special Assistance Division, Mantralaya,	]	
Mumbai,	]	
Maharashtra – 400 032.	]	
2. The Additional Commissioner and	]	
Vice-President, Schedule Tribe Scrutiny	]	
Committee, Kokan Division,	]	
Vartaknagar,	]	
Prabhag Samiti Karyalay,	]	
Thane (West),	]	
District – Thane, Maharashtra – 400 406.	]	...Respondents

Mr. Sarvajit B. Patil - Advocate for the Petitioner
Mrs. Ashwini A. Purav - AGP for the Respondent-State

**CORAM : R. D. DHANUKA AND
 S. M. MODAK, JJ.**

**DATE : 28th JANUARY, 2022
 (Through Video Conference)**

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

. Rule. Learned AGP waives service of notice on behalf of Respondent-State. By consent of the parties, petition is heard finally.

2. By this petition filed under Article 226 of the Constitution of India, the Petitioner seeks order or direction against the Respondent No. 2 to decide the application dated 04th June, 2019 made by the Petitioner with the Respondent No. 2 for getting Caste Validity Certificate.

3. Mr. Sarvajit B. Patil, learned counsel for the Petitioner states that though the said application is made on 04th June, 2019, the said application has not been decided till date. The statement is accepted.

4. The Respondent No. 2 is accordingly, directed to decide the application made by the Petitioner on 04th June, 2019 after granting personal hearing to the Petitioner and in accordance with law within eight weeks from today without fail.

5. If the Order that would be passed by the Respondent No. 2 is in favour of the Petitioner, then Respondent No. 2 shall issue caste validity certificate within two weeks from the date of passing of such

order.

6. If the Order that would be passed by the Respondent No. 2 goes adverse against the Petitioner, the Petitioner would be at liberty to file appropriate proceedings.

7. It is made clear that this Court has not expressed any views on the merits of the matter. All contentions of both the parties are kept open.

8. Writ Petition is accordingly disposed of.

9. Rule is made absolute. No order as to costs.

10. Parties to act on the basis of an authenticated copy of this order.

[S. M. MODAK, J.]

[R. D. DHANUKA, J.]