

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

WRIT PETITION NO. 1033 OF 2022

Gaurav s/o Gajanan Shinde,
age 23 years, Occ. Student,
R/o New Khetan Nagar, Kaulkhed,
Akola.

PETITIONER

.....VERSUS.....

Schedule Tribe Caste Certificate Scrutiny Committee,
Amravati Division, Old by pass Road,
Chaprashipura Amravati,
through its Vice Chairman/ Jt. Commissioner.

RESPONDENT

Shri A.P. Kalmegh, Advocate for the petitioner.
Ms. S.S. Jachak, Assistant Government Pleader for the respondent/ State.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI - PHALKE, JJ.

DATE : 24 AUGUST, 2022.

ORAL JUDGMENT (PER : A.S. CHANDURKAR, J.)

RULE. Rule made returnable forthwith and heard learned Counsel for the parties.

2. The learned Assistant Government Pleader waives notice for the respondent.

3. By a common order dated 24/12/2020, the Scrutiny Committee invalidated the tribe claim of the petitioner as well as his father. The petitioner's father had filed Writ Petition No. 1851/2021 and

by the judgment dated 27/8/2021 this Court had set aside the order passed by the Scrutiny Committee and had remitted the matter for fresh consideration.

4. We find that since the order impugned in this Court has already been set aside by the aforesaid order, similar course would have to be followed in the present Writ Petition.

5. Accordingly, for the reasons assigned in the order dated 27/8/2021 in *Writ Petition No. 1851/2021 (Gajanan S/o Bhanudas Shinde Vs. Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati Division & Ors.)*, the order 24/12/2020 passed by the Scrutiny Committee against the present petitioner is set aside. It is directed that in accordance with the directions issued in the case of the petitioner's father, the petitioner's claim shall also be re-examined. The petitioner shall appear before the Scrutiny Committee on 5/9/2022 and shall cooperate with the Committee for expeditious consideration of the tribe claim. Since the petitioner is a Student and as the Scrutiny Committee was directed to decide the claim of his father within a period of eight weeks from 6/9/2021, the Scrutiny Committee shall within a period of two months from the first date of appearance decide the proceedings finally. All questions on merits are kept open.

6. The Writ Petition is accordingly allowed. Rule is made absolute in the aforesaid terms. No costs.

(URMILA JOSHI - PHALKE, J.)

(A.S. CHANDURKAR, J.)

Sumit