

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1779 OF 2022

Vishnu s/o Ganpatrao Narnaware -- Petitioner/s

Vs.

The Vice-Chairman/ Member – Secretary, -- Respondent/s
Scheduled Tribe Caste Certificate Scrutiny
Committee, Amravati & Ors.

Ms. P.D. Rane, Advocate for the Petitioner.

Mr. N.S. Rao, A.G.P. for the Respondents/ State.

**CORAM : NITIN JAMDAR &
ANIL L. PANSARE, JJ.**

DATE : 1 APRIL 2022.

P. C. :

This petition is filed for a simplicitor direction to the Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati to decide the caste claim of the Petitioner within stipulated period.

2. Since series of such petitions only for simplicitor directions of this nature are filed, it is necessary to elaborate the issue. There is a distinction between mandating a time limit for disposal of caste claims by judicial orders in two different circumstances. The consideration and parameters for issuing such direction by a writ of mandamus would differ.

3. First, where a candidate against whom the Scrutiny Committee has passed an order invalidating the caste certificate has approached this Court and Court after finding fault in the decision of the Scrutiny Committee remands the proceedings for fresh consideration. In such circumstances, the Court may set a time limit for disposal.

4. The other cases, such as the present one, where the only direction sought is that the pending caste claim be decided in a time bound manner. It is a well recognized fact that there are larger number of claims pending before the Scrutiny Committee and many of them are urgent. For issuing a direction in such petitions, the Court will have to be mindful of the fact that there are large number of claims pending before the Scrutiny Committee, and any direction without any specifics or data placed before the Court would amounts to giving priority in an ad-hoc manner. Such direction would also be prejudicial to those who have more urgent causes and whose claims are pending longer than the Petitioner. If such ad-hoc direction is issued, it will lead to filing of more such petitions, completely upsetting the time-table of disposal.

5. An applicant who wants to know the status of the claim, can seek information from the Scrutiny Committee, if necessary by making an application under the Right to Information Act. If the applicant wants an out of turn hearing, he can apply to the Scrutiny Committee accordingly.

6. In the present case, if there is any order already granting priority, the same may be given. Otherwise, the Petitioner can avail of the above options.

7. The Writ Petition is accordingly disposed of.

[ANIL L. PANSARE, J.]

[NITIN JAMDAR, J.]