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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.645 OF 2023

**SMT. VRUSHALI PURUSHOTTAM SAWALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

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Mr S. R. Barlinge, Advocate for petitioner;
Mr P. S. Patil, A.G.P. for respondent Nos.1 & 2

**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATE : 24th January, 2023

PER COURT:

1. This is yet another instance of the Committee, rejecting the claim of a candidate on the ground that there is a spelling mistake in the description of the Caste/Tribe set out in the certificate issued by the Competent Authority. Recently, we have delivered a Judgment dated 15/12/2022 in Writ Petition No.12624/2022, directing the Committee, not to close the validation proceedings when there is a spelling mistake in the Caste/Tribe certificate. They should give an opportunity to the candidate to get a corrected certificate and proceed with the proceedings at the stage, at which they have been paused. We have also directed the

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State Government to educate all its authorities to ensure that, they will not commit a spelling mistake in the Caste/Tribe of a candidate while issuing the certificate.

2. In the present case, “Tokre Koli” has been spelt as “Tokare Koli”.

3. Since this issue pertains to the petitioner and the Committee, and the Employer of the petitioner would have no role to play in this controversy, we are not issuing notice to respondent No.3.

4. Taking into account the conspectus of the matter, this petition is partly allowed, with the following directions :-

(a) The impugned order dated 16/02/2022 is quashed and set aside. The Case No. CVC/NDB/Ser/1212/CR-1195/DII(2) stands remitted to the Competent Committee at Dhule (erstwhile ‘Nandurbar Committee’).

(b) The petitioner has already received the corrected Scheduled Tribe certificate. She would tender the original certificate to the Competent Committee, on or before 03/02/2023 and receive an acknowledgment.

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(c) She mentions her E-mail address as 'Vrush.sawale@gmail.com' and her registered Mobile Number as '7506372277'. The Committee can, therefore, enter into correspondence with the petitioner on her E-mail address and her registered Mobile Number.

(d) The Committee would decide the claim of the petitioner, as expeditiously as possible and in any case, on or before 30/06/2023. The petitioner would render wholehearted cooperation and would refrain from seeking adjournment on unreasonable or trivial grounds, lest, the Committee would be justified in progressing to the next stage in the proceedings.

(e) The services of the petitioner would not be terminated till her claim is decided by the Committee until 30/06/2023, or till the date of the delivery of the order, whichever is earlier.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)

sjk