

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

**919 WRIT PETITION NO.5172 OF 2023**

SUVARNA PRAKASHCHANDRA SAPKALE  
VERSUS  
THE SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE,  
THROUGH ITS MEMBER SECRETARY AND ANOTHER

...  
Advocate for Petitioners : Mr. B. S. Deshmukh.  
AGP for Respondent/State : Mr. S. P. Tiwari.  
...

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

DATE : 03<sup>rd</sup> May, 2023.

**Per Court:**

1. This is yet another example of a scrutiny committee comprising of Shri Girish Sarode, Deputy Commissioner, Shri Dinesh Tidke, Deputy Director and Smt. Priyanka Patil, Research Officer, who have not obeyed the order of this Court dated 23<sup>rd</sup> November, 2021 passed in Writ Petition No.8656 of 2021, directing the committee to decide the claim of the Petitioners within 4 weeks.

2. The learned AGP now informs us that the file of the Petitioner herein has been misplaced, probably in transit, since it was produced before this Court. As late as on 20<sup>th</sup> April, 2023, an order is passed by the committee directing the SDO to issue a duplicate "Tokre Koli" Scheduled Tribe certificate. To aggravate the agonies of the Petitioner, Shri Mahesh Sudhadkar, the SDO, Jalgaon has issued a communication dated 21<sup>st</sup> April, 2023, addressed to the committee stating that there are no directions of the Government to issue a

duplicate certificate.

3. Considering the above, we would have been justified in imposing costs on each members of the committee. The learned AGP informs us that this committee is facing such a situation for the first time and a lenient view may be taken.

4. In view of the above, **this Petition is disposed off** with the following directions:-

- A) Respondent No.2 shall issue a duplicate "Tokre Koli" Scheduled Tribe certificate to the Petitioner, after verifying that the original was issued by the said office, on or before 15<sup>th</sup> May, 2023.
- B) After receiving such certificate, the Petitioner would approach the committee and tender the same on 31<sup>st</sup> May, 2023, since the hearing in the matter is scheduled on 31<sup>st</sup> May, 2023, before the said committee.
- C) We direct the committee to decide the claim of the Petitioner, on or before 31<sup>st</sup> July, 2023.
- D) A copy of this order shall be placed by the Petitioner before the document verification committee *Kendriya Vidyalaya / Maharashtra Rajya Pariksha Parishad* (State Council for Examination) for it's perusal and note that the claim of the Petitioner would be decided in view of the above directions.

[ SANJAY A. DESHMUKH, J. ]

[ RAVINDRA V. GHUGE, J. ]

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