



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

CIVIL APPLICATION (CAW) NO.2111 OF 2023

IN

WRIT PETITION NO.3952 OF 2023 (D)

Aditya S/o Diwakar Jivtode, Aarsoda, Tq. Armori, Dist. Gadchiroli

-vs-

Scheduled Tribe Certificate Scrutiny Committee, Chandrapur and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. S. Fulzele, Additional Government Pleader for applicants/respondent Nos.1, 2 and 4.

Shri P. P. Dhok, Advocate for non-applicant/petitioner.

CORAM : A. S. CHANDURKAR AND MRS VRUSHALI V. JOSHI, JJ.

DATE : July 19, 2023

1. Notice on the application is made returnable forthwith. Shri P. P. Dhok, learned counsel waives notice for the non-applicant/original petitioner.
2. It has been stated on behalf of the Deputy Director, Schedule Tribe Certificate Scrutiny Committee, Gadchiroli that on 27/06/2023 the claim of one Aditya S/o Diwakar Jivtode pertaining to Scrutiny Committee, Chandrapur came to validated. On account of some mis-communication an impression was created that the present petitioner's claim which was pending before the Scrutiny Committee at Gadchiroli has been validated. Hence on such statement made by the learned Additional Government Pleader, the writ petition came to be disposed of. In the application it has been further stated that the present petitioner's claim is pending with the Scrutiny Committee Gadchiroli and same would be decided in accordance with law. It is therefore prayed that the order dated 04/07/2023 be recalled.

3. Shri P. P. Dhok, learned counsel for the petitioner does not dispute that the order of validation dated 27/06/2023 pertains to similarly named candidate, namely Aditya Diwakar Jivtode. He submits that on perusing the order it can be gathered that it does not deal with the present petitioner.
4. In view of aforesaid the order dated 04/07/2023 is recalled. The writ petition is restored to file for consideration afresh. Civil Application is allowed and disposed of.

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5. Shri A. S. Fulzele, learned Additional Government Pleader makes a statement that subject to the petitioner co-operating with the Scrutiny Committee at Gadchiroli, his validity claim shall be decided within a period of one month from today.
6. Accepting the statement made on instructions, the writ petition is disposed of in terms thereof. No costs.

(Mrs Vrushali V. Joshi, J.)

(A. S. Chandurkar, J.)