



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

914 WRIT PETITION NO. 1174 OF 2024

PRAKASH GOPICHAND THAKUR

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
AND OTHERS

...

Mr. Kishor T. Shirurkar Advocate for Petitioner.

Mr. S.K. Shirse, A.G.P. for Resp. Nos. 1 to 3.

...

**CORAM: SMT. VIBHA KANKANWADI AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 31st JANUARY 2024

ORDER :

1. Present Petition has been filed for following reliefs:-

“(B) To direct the respondent No.2 – Scrutiny Committee, Dhule to decide the proposal of the petitioner Dt. 20.10.2023 in any case within a stipulated period.

(C) To direct the Scrutiny Committee to pay compensatory costs to the petitioner as the Hon’ble High Court deems fit, proper and reasonable, in the interest of justice.”

2. It is the case of the petitioner that he belongs to “Thakur”, Scheduled Tribe and his proposal for caste validity was pending before respondent No.2 Committee since 2011 and as it was not

decided for considerable period, the petitioner has filed Writ Petition No.2535 of 2015. This Court by order dated 5th March 2015 directed respondent No.2 Committee to decide the said proceeding expeditiously, preferably within six months from the date of passing said order. Thereafter, as the proposal of the petitioner was not decided, for considerable period and nothing was communicated to him, the petitioner filed Contempt Petition No.691 of 2023. After hearing the parties, on 19th October 2023, this Court, while disposing of the said Contempt Petition, has passed following order:

“ The petitioner’s proposal has been turned down since it was not submitted in the prescribed format (Form C). Learned Advocate for the petitioner makes a statement the proposal would now be submitted afresh in the prescribed format. Once the same is received by the concerned authority, they are expected to act upon it within a period of 10 (ten) weeks from the date of receipt thereof.”

3. Learned Advocate for the petitioner further submits that in view of the order passed by this Court in Contempt Petition, on 20th October 2023 the petitioner has submitted fresh tribe verification proposal, however the same is not yet decided.

4. Thus taking into consideration the facts of the case and the prayers, this Petition can be disposed of by giving directions to

respondent No.2 Committee. We direct that respondent No.2 Committee should decide the proposal of the petitioner dated 20th October 2023 within a period of TWO MONTHS from today. Learned AGP is directed to inform this order to respondent No.2 – Committee.

5. In view of the directions as above, prayer clause “(C)” stands rejected.

6. Petitioner to appear before respondent No.2 – Committee on 8th February 2024 at 11.00 a.m.

7. The Writ Petition stands disposed of, accordingly.

[S.G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/JAN24