



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

46 WRIT PETITION NO. 3903 OF 2022

SHAIKH AIJAZ SHAIKH MEHBOOB
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Ms. U. T. Pathan h/f Mr. T. W. Pathan, Advocate for the Petitioner.
Dr. K. B. Patil Bharaswadkar, AGP for Respondents – State.
...

**CORAM : MANGESH S. PATIL AND
SHAILESH P BRAHME, JJ.**

DATE : 1 JULY 2024

ORDER :-

The petitioner is before us as the respondent No.2 – Scrutiny Committee constituted under the Maharashtra Act No.23 of 2001 is even allegedly refusing to accept the proposal for scrutiny for the purpose of validation of her tribe certificate.

2. Irrespective of the specific provisions contained in Section 3 and Section 5 of the Act, the fact that the Committee is not even accepting the petitioner's application cannot be countenanced. Accepting an application and then refusing to entertain it on the lines of these provisions is one thing and not receiving the application at all is another. We are at that stage.

3. The writ petition is allowed. The petitioner may tender fresh application in the prescribed format to the Respondent No.2 - Committee and the Respondent No.2 - Committee shall accept it.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

scm