



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13804 OF 2024

KONDIBA MANIKRAO ATTAMWAD THR POWER OF ATTORNEY
HOLDER VAIJNATH BABURAO WALLAMWAD
VERSUS

1. THE STATE OF MAHARASHTRA THR. ITS SECRETARY TRIBAL
DEVELOPMENT DEPARTMENT, MANTRALAYA MUMBAI
2. THE SCHEDULED TRIBE CERTIFICATE VERIFICATION COMMITTEE
CHH. SAMBHAJI NAGAR, THR. ITS DY. DIRECTOR @, DIST. CHH.
SAMBHAJI NAGAR

...
Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents: Ms. S.S. Joshi
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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 17.12.2024

PER COURT:

The petitioner's proposal has been pending with the respondent – Scrutiny Committee for validation of his 'Mannervarlu' scheduled tribe certificate.

2. It is being pointed out that in fact it was a common vigilance inquiry pursuant to which the petitioner's proposal has to be decided. Though the Committee has decided the individual proposals of the rest of three i.e. Sapna, Rutuja and Sainath, his proposal has been held back.

3. We cannot comprehend as to how and in what circumstances the committee could indulge into the kind of approach it has adopted. If

the committee was comfortable with a common vigilance inquiry in respect of several individuals, one cannot understand as to how and for what reason it chose to decide the claims of three others holding the petitioner's claim back. This is highly unbecoming of the committee which is vested with a serious business of discharging the *quasi* judicial function.

4. Even if it is a matter that the other three individuals Sainath, Sapna and Rutuja who had faced invalidation were before us and by the order dated 31.10.2023 we had allowed their petitions with a direction to issue them certificates of validity making those co-terminus with the validities which they were relying upon and which the Committee had decided to reopen, still, in all probability, the Committee would even reject the petitioner's proposal but even for that it will take some time for the obvious extraneous reasons.

5. We dispose of the writ petition directing the committee to decide the petitioner's proposal, as expeditiously as possible, and in any case within three weeks. Petitioner shall appear before the Committee on 23.12.2024.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)