



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

WRIT PETITION NO.6163 of 2024

Aditya s/o Diwakar Jivtode Vs. Scheduled Tribe Certificate Scrutiny
Committee and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. Prashant Dhok, Advocate for petitioner.
Mr. A.S.Fulzele, Addl. G.P. for respondent nos.1,2 and 4.

CORAM : NITIN W. SAMBRE & MRS. VRUSHALI V. JOSHI, JJ.
DATE : OCTOBER 23, 2024.

1. Heard.
2. The order impugned is dated 28th August 2023 passed by the respondent-Committee, whereby instead of adjudicating the claim of the petitioner on merit, the Committee has refused to adjudicate the claim of the petitioner with liberty to the petitioner to approach fresh.
3. We have perused the scheme, particularly, sub-rule (9) of Rule 12 of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000, contemplates the decision to be given by the Committee on merits of the matter.
3. It is not open for the respondent-Committee to return the claim to the petitioner without adjudication.
4. That being so, the order impugned dated 28th August, 2023 is hereby quashed and set aside.

5. The petitioner is permitted to appear before the respondent-Committee on 18th November, 2024.

6. The Committee is directed to decide the claim of the petitioner expeditiously and in any case within a period of six months thereafter.

(MRS.VRUSHALI V. JOSHI, J.) (NITIN W.SAMBRE, J.)

Mukund Ambulkar