



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 WRIT PETITION NO. 4570 OF 2025

UMAKANT VITTHALRAO DABETWAR

VERSUS

SCHEDULE TRIBE CERTIFICATE SCRUTINY COMMITTEE THROUGH ITS
MEMBER SECRETARY AND ANOTHER

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Advocate for the Petitioner : Mr. Mahesh S. Deshmukh h/f Mr. Gite Umesh
Babanrao

AGP for Respondents: Mrs. P.J. Bharad

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 09.04.2025

PER COURT :

We have heard both the sides.

2. The genesis for the petition is peculiar and unprecedented.
3. The petitioner's tribe validation proceeding has been pending with the respondent-scrutiny committee, stated to have been originated in the form of a proposal forwarded by the concerned Zilla Parishad way back in the year 2013.
4. By the order dated 20.01.2025, in Writ Petition No. 962/2025, we had directed the scrutiny committee to scrutinize the proposal by reconstructing the file when it was informed to us that the original file was not traceable. Contemplating that the file would not be traceable, we had even directed the scrutiny committee to take appropriate decision regarding grant of permission to the petitioner to obtain a duplicate certificate. Time was sought on the previous dates and now even today the learned A.G.P, on written instructions, submits that the original file is not traceable.

5. In the light of such unprecedented events, when apparently a photo copy of the original caste certificate purportedly issued by the Tahsil Office Udgir on 30.06.1992, bearing outward No. 1992-MISC/WS/REG 1286 (Annexure 'A'), is already on the record, we dispose of the petition directing the committee to treat this copy (Annexure A) as a caste certificate and verify the petitioner's claim on its own merits, without insisting for the original to be traced out or without directing the petitioner to obtain a fresh one.

6. In this regard, it is pertinent to note that the learned advocate for the petitioner informs that the petitioner's two daughters already possess certificates of validity. It is in the light of such peculiar state of affairs that we see no impediment in directing the committee to decide the petitioner's tribe claim on the basis of the photo copy of the original certificate. If some other compliance is needed, the petitioner shall be obliged to do it, including submission of a fresh proposal online.

7. The committee shall decide the proposal as expeditiously as possible, and in any case within six weeks.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

mkd/-