

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7547 OF 2018

Saba Khanam Samsher Khan Pathan

...Petitioner

vs.

Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad and Others

...Respondents

Mr. M.S. Deshmukh a/w. N.P. Dube i/b. S.S. Phatle, for the
Petitioner

Mr. A.A. Kumbhakoni, Advocate General a/w. Mr. P.P. More, AGP
for Respondents-State.

Mr. Bembalge Vijaykumar, Mr. Shriniwas Solunke and Mr. Nayyim
Shaikh, Law Officers present.

**CORAM : SHANTANU KEMKAR &
N. W. SAMBRE, JJ.**

DATE : JULY 31, 2018

P.C.:

. On instructions, the learned Counsel for the parties
submit that this matter may be remanded back to the Respondent
– Scheduled Tribe Certificate Scrutiny Committee, Aurangabad for
deciding the Petitioner's tribe claim afresh.

2. In view of the fact that the Petitioner has not been given
requisite time to reply to the show cause notice issued to the
Petitioner under Rule 12(3) of the Maharashtra Scheduled Tribes
(Regulation of Issuance and Verification of) Certificate Rules,

2003, in the circumstances as agreed, this Writ Petition is disposed of by setting aside the impugned order passed by the Caste Scrutiny Committee by remanding the matter to the said Committee for deciding afresh after following the due procedure of law.

3. The Writ Petition is allowed to the extent indicated above.

4. The Petitioner to appear before the Scheduled Tribe Certificate Scrutiny Committee, Aurangabad on 27th August 2018 at 11.00 a.m.

5. The Committee to decide the Petitioner's claim within three months from the date of appearance.

(N.W. SAMBRE, J.)

(SHANTANU KEMKAR, J.)