



sg

52.wp2671-20-operative order.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2671 OF 2020

Kiran Rajkumar Umbarje And Ors. .. Petitioners

v/s.

State of Maharashtra through Secretary,
Tribal Development Dept. And Anr. .. Respondents

....

Mr. R.K. Mendadkar, a/w. Mr. C.K. Bhangoji and Ms. Komal Gaikwad,
for the Petitioners.

Mr. S.B. Kalel, AGP, for State.

....

CORAM: SUNIL B. SHUKRE &
G.A. SANAP, JJ.

DATE : 31 MARCH 2022

P.C:-

For the reasons separately recorded, following Operative Order
is passed:

:OPERATIVE ORDER:

- (i) The petition is allowed. The impugned order is hereby quashed and set aside. The Scrutiny Committee is directed to issue validity certificate to the Petitioners showing that they belong to Koli Mahadev Scheduled Tribe within 24 hours' from the receipt of authenticated copy of this order.

- (ii) We direct Scrutiny Committee (Respondent No.2) to bear in mind the observations made hereinabove, to exercise utmost care and caution in scrutinising the Caste and Tribe claims, to refrain from indulging in any acts of judicial impropriety and to show due regard to and compliance with the orders and judgments of the superior Courts, which have attained finality while deciding caste and tribe claims in future.
- (iii) We direct the Registry to send the copy of the judgment to the Chief Secretary, State of Maharashtra, for being circulated amongst all Scrutiny Committees across the State of Maharashtra.
- (iv) We direct the Scrutiny Committee to act upon the authenticated copy of the Order.
- (v) Rule is made absolute in the above terms. No costs.

(G.A. SANAP, J.)

(SUNIL B. SHUKRE, J.)