

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 3250 OF 1999**

Manojkumar s/o. Basavanappa Koli .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. V.D. Salunke, Advocate for the petitioner.

Mr. S.K. Kadam, A.G.P. for respondent Nos. 1 & 2.

Mr. P.S. Patil, Advocate for respondent No.3.

**CORAM : A.V. NIRGUDE &  
A.M. BADAR, JJ.**

**DATED : 29.06.2015**

**P.C. :-**

1. Heard. This petition challenges judgment and order dated 07.06.1999 passed by the Scheduled Tribe Certificate Scrutiny Committee, Nashik. On the day of filing of the petition, the petitioner was a student. He was about to appear for a competitive examination for professional courses like Engineering, Medical etc. In anticipation of this, he sent his Tribe Certificate for verification and the impugned judgment and order held that the petitioner did not prove his case that he belonged to Koli Mahadeo - Scheduled Tribe. The petitioner did not have any documents of pre 1950 original in which the petitioner or his family members'

caste was shown to be Mahadeo Koli. The petitioner did submit school record of his father and uncle. This record was maintained by school authorities in their ordinary course of business. The caste of the petitioner's father and uncle recorded in school registered was Koli (Kanadi). The petitioner, however, mentioned his caste at the time of taking admission to primary school as Koli Mahadeo. The Members of the Committee held that due to lack of evidence, mainly documents of pre 1950 origin, the petitioner's claim appeared to be after thought. The petitioner also placed reliance on validity certificate granted to one of his relatives by name, Dayanand. We perused the affidavit filed by Dayanand in support of petitioner's case and found that Dayanand is not blood relative of the petitioner. We are, therefore, constrained to observe that Dayanand's certificate will make no difference to the petitioner's case.

2. In addition to this, there was one more reference on which the petitioner could have placed reliance. This was his own father's caste validity certificate. During pendency of this petition, it was brought to the notice of the Court that the petitioner's father's claim was remanded to Scrutiny Committee and the Court observed that the decision of father's case would be relevant. But the petitioner failed to produce before

us the judgment and order passed by the Scrutiny Committee in his father's case.

3. The impugned judgment and order, thus, appears to be correct. The petition should, therefore, fail. Hence, the writ petition is dismissed. Rule discharged.

**[A.M. BADAR, J.]**

**[A.V. NIRGUDE, J.]**