

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11973 OF 2014

HANMANT SANTABA LANKAWAD
VERSUS
THE STATE OF MAH AND ORS

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Advocate for Petitioner : Jadhav Vivek U.
AGP for Respondents State: Mr.G.K.Thigale
Advocate for Respondent no.2. Mr.A.B.Tele

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**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA,JJ.
DATE : 3rd February, 2015.**

P.C. :

The petitioner assails judgment of the Sub Divisional Officer and Scrutiny Committee in Appeal thereby rejecting application of the petitioner seeking tribe certificate as belonging to Mahadeo Koli Scheduled Tribe.

2] We have heard Mr.Jadhav, learned counsel for petitioner and Mr.Tele, learned counsel for respondents.

3] It appears that the petitioner had applied for the tribe certificate in the name of Mahadeo Koli. As per Presidential Order the entry is of Koli Mahadeo tribe. Considering the delay, it would not be of any use to go into the details of the judgment delivered by the committee and the Sub Divisional Officer. Interest of justice

would be subserved by asking petitioner to apply afresh for issuance of tribe certificate as belonging to Koli Mahadeo Scheduled Tribe.

4] In light of that, we pass following order :

[a] Petitioner may apply to the authority for issuance of tribe certificate of Koli Mahadeo Scheduled Tribe. The authority to whom the said application would be filed, shall consider said application on its own merits without being impressed by order passed earlier by the said authority and the committee in appeal and shall decide the said application afresh. Petitioner is entitled to file all the documents on which the petitioner relies. The impugned order would not come in the way of the petitioner in making application afresh.

5] Writ Petition is accordingly disposed of. No costs.

V.L.ACHLIYA,J.

S.V.GANGAPURWALA,J.

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