

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.11679 OF 2015

- 1) Ravikant s/o Baburao Salme,
Age-26 years, Occu:Student,
R/o-Bhoi Samudrga, Post-Harangul,
Tq. & Dist-Latur,
- 2) Vaishali D/o- Navnath Salme,
Age-19 yeas, Occu:Student,
R/o-As Above.

...PETITIONERS

VERSUS

- 1) The State of Maharashtra,
Secretary, Tribal Dev. Deptt.,
Mantralaya, Mumbai-32,
- 2) The Sub-Divisional Officer,
Latur.

...RESPONDENTS

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Mr.Suresh M. Kulkarni Advocate for Petitioners.
Mrs.A.V. Gondhalekar, A.G.P. for Respondent
Nos.1 and 2.

...

**CORAM: R.M. BORDE AND
A.I.S. CHEEMA, JJ.**

DATE : 9TH DECEMBER, 2015

ORAL JUDGMENT [PER R.M. BORDE, J.] :

1. Heard. Rule. Rule made returnable forthwith. With the consent of learned counsel for the parties, the Petition is taken up for final disposal at admissions stage.

2. The Petitioners are making grievance in respect of conduct of the Sub-Divisional Officer, Latur in not issuing caste certificates in pursuance of the applications tendered by them on 4th February 2015.

3. It is contended on behalf of the Petitioners that the Petitioners tendered all relevant documents to the Sub-Divisional Officer, however, on one pretext or other, he did not take decision in the matter. It is pointed out that similar situation arose in respect of their cousin brothers, namely Sachin Bandu Salme and Shubham Bandu Salme, who were required to approach this

Court with Writ Petition Nos. 1665 of 2014 and 2972 of 2015. During the consideration of the aforesaid Petitions, statement was made on behalf of the State Government that the caste certificates would be issued within specified period and as such the Writ Petitions were disposed of. The Petitioners are the persons from the same family who are required to approach this Court for the similar cause.

4. Although the concerned Sub-Divisional Officer assured to take decision in the matter within fifteen days, the conduct of the Sub-Divisional Officer in driving all the members of the family to this Court with a petty request, in respect of issuance of caste certificates, appears to be either motivated or the said conduct shall be construed as dereliction in performance of duty.

5. In the circumstances, we direct the Sub-

Divisional Officer to issue the caste certificates in favour of the Petitioners, since their cousin brothers have already been issued caste certificates, within FIFTEEN DAYS from today.

6. Rule is accordingly made absolute in above terms. There shall be no order as to costs.

[A.I.S. CHEEMA, J.]

[R.M. BORDE, J.]

asb/DEC15