

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4938/2015

Ravindra s/o Navalchand Thakur (Sapkal)

...Versus...

State of Maharashtra through Principal Secretary, Tribal Development
Department, Mumbai – 32 and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.P. Kalmegh, Advocate for petitioner
Shri N.R. Rode, AGP for respondent nos.1 to 3

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATE : 25.08.2015

Heard.

The learned Counsel for the parties agree that the issue involved in this case was also involved in Writ Petition No.663/2014 and Writ Petition Nos.5481/2014 and 5710/2014 and this Court, by the orders dated 26.3.2014 and 14.11.2014 respectively, has allowed the writ petitions and quashed and set aside the order of the Sub Divisional Officer, Buldhana, refusing to issue the caste certificate in favour of the petitioners therein. It is stated that in the decided cases and in the present case, the Sub Divisional Officer has refused to issue a caste certificate in favour of the applicants only on the ground that 'Thakur Caste' was not existing in Chikhali Taluka or Buldhana District. It is stated on behalf of the petitioner that despite the orders dated 26.3.2014

and 14.11.2014, the Sub Divisional Officer is high-handedly passing similar orders.

We have perused the orders in the decided writ petitions and the impugned order in this writ petition. It appears that the issue involved in the decided writ petitions and this writ petition is identical.

Hence, for the reasons recorded in the order dated 26.3.2014 in Writ Petition No.663/2014, we partly allow this writ petition. The impugned order of the Sub Divisional Officer dated 21.7.2015 is quashed and set aside. The Sub Divisional Officer is directed to issue the caste certificate in favour of the petitioner within a period of four weeks so that the same could be referred to the Scrutiny Committee for verification. The Sub Divisional Officer should take a note of these decisions and ensure that similar orders are not passed in future, thereby causing inconvenience to the candidates applying for caste certificate. No costs.

JUDGE

JUDGE

Wadkar