

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

WRIT PETITION NO. 6837 OF 2016

Vikas s/o Sanjaykumar Hajare,
age: 18 years, Occ: Student,
R/o Shahu Nagar, Hajare Vasti,
Kedgaon, Tq. Dist. Ahmednagar.

.. PETITIONER

VERSUS

01 The State of Maharashtra,
through its Secretary,
Tribal Development Department,
Mantralya, Mumbai-32.

02 The Sub Divisional Officer,
Nagar Region, Ahmednagar,
Tq. Dist. Ahmednagar.

.. RESPONDENTS

Mr. P.V.Jadhavar, advocate for the petitioner.
Mr.M.B.Bharaswadkar, A.G.P. for Respondents.

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**CORAM : R.M. BORDE &
K. L. WADANE, JJ.
DATE : 7th JULY, 2016.**

ORAL JUDGMENT (Per R.M.Borde, J.) :

1 Heard. Rule. Rule made returnable forthwith and heard finally by consent of learned Counsel for respective parties.

2 Petitioner claims to be belonging to 'Koli Mahadev', a Scheduled Tribe and has completed 12th Standard. Petitioner needs validation certificate for prosecuting further studies. As such, he approached the Scrutiny Committee with caste certificate requesting the Committee to consider the issue of validation. The Scrutiny Committee, however, advised petitioner to secure proper certificate indicating his tribe

as 'Koli Mahadev' instead of 'Mahadev Koli'. Petitioner, as such, approached the Sub Divisional Officer, Ahmednagar, with a request to issue proper certificate. The proposal tendered by the petitioner has been turned down by the Sub Divisional Officer by order dated 25.04.2016.

3 This petition can be disposed of in view of the decision rendered by this Court in Writ Petition No.4536 of 2014. It is not a matter of dispute that father of petitioner and his uncles are possessed of caste validity certificates. However, in the caste certificate, name of the tribe is recorded as 'Mahadev Koli' instead of Koli Mahadev'. There appears to be a technical error in mentioning name of the tribe, which is required to be corrected.

4 In the facts of the case, this petition can be disposed of with a direction to Sub Divisional Officer, Ahmednagar, to issue tribe certificate, as requested by the petitioner without embarking upon further inquiry into the matter. The order passed by the Sub Divisional Officer on 25.04.2016, refusing to issue tribe certificate in favour of the petitioner stands quashed and set aside. Concerned authority is directed to issue tribe certificate, as requested by the petitioner, within a period of two weeks from today.

5 Rule is made absolute accordingly. No costs.

(K. L. WADANE)
JUDGE

dyb

(R. M. BORDE)
JUDGE