

- 1 -

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.8693/2016

Krushna Bandu Waghmare,
under guardian of father
Bandu Laxmanrao Waghmare.
...Petitioner..

Versus

The Principal,
Jawahar Navodaya Vidhyalaya,
Gadi & another.
...Respondents...

.....

Shri P.V. Jadhavar, Advocate for petitioner.
Smt.D.S. Asingkar (Jape), Advocate for respondent no.1.
Shri P.S. Patil, AGP for respondent no.2.

.....

**CORAM: R.M. BORDE &
K.L. WADANE, JJ.**

DATE: 11.08.2016

ORDER :

1] The petitioner is praying for issuance of the tribe certificate and is also assailing the order passed by the Sub Divisional Officer rejecting his request to issue the tribe certificate. The request has been turned down

- 2 -

mainly for the reason that in the validation certificate of the cousin brother of the petitioner, the tribe is recorded as Mahadev Koli and not Koli Mahadev. So also in the school record of father of the petitioner, his caste is recorded as Koli (Mahadev). The sister of the petitioner has been issued the tribe certificate certifying that she belongs to Mahadev Koli – scheduled tribe. The error in respect of recording of the tribe as Mahadev Koli is directed to be corrected in several judgments delivered by this Court including *Prakash Subhash Bhople v. Deputy Collector (General), Latur & others* reported at **2015 (4) Mh.L.J. 890**.

2] In this view of the matter, since according to us, the petitioner has produced sufficient evidence to substantiate his claim for issuance of the tribe certificate, we direct the Sub Divisional Officer, Majalgaon, to issue the tribe certificate, as requested by the petitioner, within a period of 15 days from today. The order passed by the Sub Divisional Officer on 4.8.2016 refusing request of the petitioner is quashed and set aside. The respondent no.1 is directed to admit the petitioner to 6th Std. class subject to production of

- 3 -

the tribe certificate as well as the caste validation certificate.

3] With the directions as above, the writ petition is disposed of.

(K.L. WADANE, J.)

(R.M. BORDE, J.)