IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12390 OF 2016

Sudhakar s/o. Shankarrao Narlawar,
Age 41 years, Occ. Nil,
r/o. Markhel, Tq. Degloor,
Dist. Nanded ..Petitioner

Vs.

1. The State of Maharashtra,
   Through Secretary to Tribal
   Development Department,
   Mantralaya, Mumbai

2. The Sub Divisional Officer,
   Degloor, Dist. Nanded ..Respondents

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Mr.S.M.Vibhute, Advocate for petitioner

Mr.Y.G.Gujrati, AGP for respondents

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CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.
DATE : DECEMBER 20, 2016

PER COURT :

Heard.

2. The petitioner is in receipt of the tribe certificate issued by respondent no.2 - Sub Divisional Officer on 09.07.2003 certifying that

he belongs to 'Mahadev Koli' scheduled tribe. In view of the decision rendered by the Scrutiny Committee in certain matters, the petitioner is apprehending that if he tenders the verification claim to the Scrutiny Committee, the same would not be accepted on account of erroneous recording of description of tribe in the tribe certificate issued on 09.07.2003, as the tribe described in the Scheduled Caste Order issued by the Central Government at Serial No.29 is 'Koli Mahadeo' and not 'Mahadeo Koli'.

3. In the circumstances, it was appropriate for respondent no.2 - Sub Divisional Officer to issue a corrected tribe certificate so as to enable the petitioner to tender a proposal to the Scrutiny Committee for validation of his tribe certificate. However, instead of adopting this logical and reasonable practice, respondent no.2 - Sub Divisional Officer instructed the petitioner to secure order from the Scrutiny Committee

4. In the facts and circumstances of the case, respondent no.2 - Sub Divisional Officer is directed to issue a corrected tribe certificate to the petitioner, as expeditiously as possible and preferably within a period two months from today.

5. With these directions, the Writ Petition stands disposed of.

[SANGITRAO S. PATIL, J.] **[R.M. BORDE, J.]**

kbp