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

WRIT PETITION NO. 11156 OF 2017

**SANJANA DIGAMBAR GONDALWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**...
Advocate for Petitioner : Jadhav Vivek U.
AGP for Respondents: Mrs.A.V.Gondhalekar**

**....
CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL,JJ.**

DATE : 27/09/2017

PER COURT :-

The petitioner had filed application for issuance of tribe certificate of Koli Mahadev (Scheduled Tribe). The application is rejected. The appeal filed by the petitioner is dismissed.

2] We have heard Mr.Jadhav, learned counsel for the petitioner and the learned AGP.

3] It appears that Maroti real uncle's son of the petitioner has been issued with the validity certificate of Koli Mahadev (S.T.). The school record of the real uncle of the petitioner Datta records caste as Koli Mahadev in the year 1966. The school record of the petitioner records caste as Koli Mahadev. It is trite that at the time of issuance of tribe certificate, prima facie satisfaction is sufficient. Considering that, as per genealogy submitted, the real uncle's son has been issued with the validity certificate of Koli Mahadev (S.T.) The old record of the real uncle of the petitioner of the year 1916

records the caste as Koli Mahadev. The school record of the petitioner consistently records the caste as Koli Mahadev. We are inclined to allow the Petition. Even otherwise, tribe certificate issued will have to undergo scrutiny by the committee in validation proceedings.

4] In the result, impugned orders are quashed and set aside. Respondent committee shall issue caste/tribe certificate to the petitioner of Koli Mahadev (S.T.) expeditiously preferably within one month.

5] Writ Petition is disposed of. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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