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

WRIT PETITION NO. 11167 OF 2017

**SWAPNIL DEEPAK THAKUR AND ADITYA DEEPAK THAKUR MINOR
THROUGH FATHER DEEPAK VASANT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Advocate for Petitioners : Barlinge S.R
AGP for Respondents: Mr.S.W.Mundhe**

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

DATE : 27/09/2017

PER COURT :-

The application for issuance of tribe certificate of Thakur (Scheduled Tribe) is rejected. The appeal filed against said order is dismissed.

2] Mr.Barlinge, learned counsel submits that the father of the petitioner, so also grand father of the petitioner is issued with the tribe certificate of Thakur (S.T.). The school record of the petitioner records the caste as Thakur (S.T.) The learned counsel submits that even the school record of the great grand father of the petitioner records the caste as Thakur. The said entry is of the year 1919. The real paternal uncle is issued with caste certificate of Thakur (S.T.)

3] The learned AGP states that as no convincing documents were produced, the order is rightly passed.

4] It appears that the real paternal uncle, so also grand father of

the petitioner have been issued with the Thakur (S.T.) certificate. The school record of the petitioner records caste as Thakur. There does not appear to be any contra evidence on record.

5] Even otherwise, at this stage, even prima facie satisfaction is sufficient as the Tribe certificate will be subjected to scrutiny, by the committee, in the validation proceeding.

6] Considering the above, impugned orders are quashed and set aside. Respondent committee shall issue tribe certificate to the petitioner of Thakur (S.T.)

7] Writ Petition is disposed of. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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