

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1035 OF 2018

Asaram Nivrutti Pande

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Sunil M. Vibhute, Advocate for the Petitioner.

Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1 to 3.

CORAM : **S. V. GANGAPURWALA &**
A. M. DHAVALA, JJ.

DATE : **15th February, 2018**

PER COURT :

1. The application for issuance of tribe certificate of 'Mannervarlu', Scheduled Tribe filed by the petitioner is rejected. Appeal is dismissed. Aggrieved thereby the present petition.

2. Mr. Vibhute, learned Advocate for the petitioner submits that the petitioner is aged 81 years. The petitioner requires tribe certificate for contesting the elections. The son of the petitioner Rajendra is issued with the tribe certificate of 'Mannervarlu', Scheduled Tribe. The school record of the petitioner's son also records caste as 'Mannervarlu'.

3. Learned A.G.P. submits that, in fact, one of the document of Census produced by the petitioner shows that there is interpolation in the column of caste of the petitioner. The same is in different ink. There are no convincing documents filed on record.

4. It appears from the record that the son of the petitioner Rajendra is issued with tribe certificate of 'Mannervarlu', Scheduled Tribe. The school record of the son of the petitioner also records caste as 'Mannervarlu'.

5. It is trite that at this stage the committee has to be *prima facie* satisfied. As the son of the petitioner is already issued with the tribe certificate, we pass the following order-

ORDER

I] The respondent shall issue the tribe certificate to the petitioner of 'Mannervarlu', Scheduled Tribe within two (2) months.

II] Naturally the said tribe certificate will be subject to scrutiny by the committee.

6. The writ petition is accordingly disposed of. No costs.

[A. M. DHAVAL, J.]
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[S. V. GANGAPURWALA, J.]