

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

WRIT PETITION NO. 3092 OF 2018

Sainath Shankarrao Totawar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri. Sunil M. Vibhute, Advocate for the Petitioner.

Smt. M. A. Deshpande, Addl.G.P. for Respondents.

Shri. A. S. Shinde, A.G.P. for Respondents in Writ Petition No. 3114 of 2018.

**WITH
WRIT PETITION NO. 3114 OF 2018**

Sandip Shankarrao Totawar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**CORAM : S.V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATED : 26th March, 2018

PER COURT:

. Issue notice to respondents. The respective learned Additional/Assistant Government Pleader waive notice for respondents.

2. The application filed by the petitioner for issuance of tribe certificate of 'Mannervarlu' (Scheduled Tribe) is rejected. The appeal filed is also dismissed. Aggrieved thereby the present petition.

3. We have heard Mr. Vibhute, the learned counsel for the petitioner and the learned Additional/Assistant Government Pleader.

4. The petitioner relies on the validity certificate purportedly issued in favour of the real sister Miss. Sunita Shankarrao Totawar, so also on the validity certificate issued in favour of real paternal uncle Shri. Suresh Piraji Totawar.

5. It is trite that at the stage of issuance of tribe certificate the authority has to be prima facie satisfied. When the real sister of the petitioner and the real paternal uncle of the petitioner have been issued with the validity certificates, there was no impediment to issue the tribe

certificate to the petitioner.

6. In light of the above, the impugned orders are quashed and set aside. The respondent No. 3- Sub Divisional Officer shall issue tribe certificates to petitioners of 'Mannervarlu' (Scheduled Tribe) within a period of six (6) weeks from today. Needless to state the tribe certificates have to be referred to the Committee for verification. The writ petitions are disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

ass/wp 3092.18