

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

WRIT PETITION NO. 4479 OF 2018

Chaitanya Madhav Shinde
Age: Minor, Occ: Education,
Through natural guardian i.e. Father
Madhav Hari Shine
Age: 43 years, Occ: Worker
R/o, Pethwadaj Tq. Kandhar,
Dist. Nanded

.. Petitioner

Versus

1. Sub Divisional Officer,
Kandhar, Tq. Kandhar,
Dist. Nanded.
2. Scheduled Tribe Certificate,
Scrutiny Committee, Aurangabad
Division, Aurangabad
Through its Member Secretary

.. Respondents

Shri. S. S. Phatale, Advocate for Petitioner.
Shri. P. S. Patil, Addl. G.P. for Respondents.

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

DATED : 3rd May, 2018

ORAL JUDGMENT (Per S.V.Gangapurwala,J.)

. Rule.

2. Learned Additional Government Pleader waives service of Rule for Respondents.

3. Rule made returnable forthwith with the consent of the learned counsel for the parties heard finally.

4. The application filed by the petitioner for issuance of caste certificate as belonging to 'Thakur', Scheduled Tribe is rejected. Appeal filed against the same is dismissed. Aggrieved thereby the present petition.

5. We have heard Mr. Phatale, the learned advocate for the petitioner and Mr. Patil, the learned Addl. G. P.

6. It appears that the father of the petitioner and the real brother are issued with tribe certificate of 'Thakur', Scheduled Tribe real uncle of the

petitioner has been issued with the validity certificate of 'Thakur' Scheduled Tribe. At this stage, the authorities have to be prima facie satisfied.

7. Considering the above, the impugned orders are quashed and set aside. The Respondent No. 1 shall issue the tribe certificate to the petitioner of 'Thakur', Scheduled Tribe which certificate will have to undergo verification by the Committee. Rule made absolute accordingly in above terms. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

ass/wp 4479.18