

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 10693 OF 2018

Anuradha d/o Balalji Nalamwad

Age minor, Occ. Education

R/o Therban, Tq. Bhokar

Dist. Nanded

Through grandfather & Power of Attorney Holder

Gangadhar s/o Narayan Puranshettiwar

age 68 years, occ. retired

R/o Gujrati Galli, Tilak Nagar,

Dharmabad, Tq. Dharmabad

Dist. Nanded

Petitioner

Versus

1. The State of Maharashtra
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai.
2. The Scheduled Tribe Certificate
Verification Committee, Aurangabad
Through its Deputy Director (R)
Aurangabad.
3. The Sub Divisional Officer
Bhokar, Dist. Nanded

Respondents

Mr. B.G. Patnurkar, advocate holding for Mr. S.M. Vibhute,
advocate for petitioner.

Mr. P.S. Patil, AGP for all respondents.

**CORAM : R.M.BORDE &
MANGESH S. PATIL, JJ.
DATE : 25th September, 2018**

JUDGMENT : (Per R.M. Borde, J.)

1. Rule. Rule made returnable forthwith.
2. Heard finally at admission stage with the consent of learned counsel for the respective parties.
3. Petition bearing Writ Petition No. 5619/2018 presented by real sister of the petitioner has been allowed by this Court by order dated 12.06.2018. For the reasons recorded in the aforesaid writ petition, instant petition also deserves to be allowed and the same is accordingly allowed.
4. Impugned orders passed by the Sub Divisional Officer as well as respondent no. 2 Scrutiny Committee are quashed and set aside. Respondent no. 3 - Sub Divisional Officer is directed to issue tribe certificate in prescribed proforma as requested by petitioner within a period of one week from today. It is reiterated that the observations made in the aforesaid petition i.e. Writ Petition No. 5619/2018 which are the basis of allowing the instant petition are of a prima facie nature and it would be open for the Scrutiny Committee to arrive at appropriate finding while considering the claim for issuance of validation certificate.
5. Rule is accordingly made absolute. In the facts and circumstances of the case, there shall be no order as to costs.

MANGESH S. PATIL
JUDGE

R.M.BORDE
JUDGE