

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

9 WRIT PETITION NO. 10287 OF 2018

SUBHASH NANA ABBADWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. C.R.Thorat, Advocate for Petitioner
Mr. P.S.Patil, AGP for Respondents-State
...

**CORAM : R.M.BORDE AND
MANGESH S. PATIL, JJ.**

DATED : 18.09.2018

PER COURT :-

1. The application tendered by the petitioner for issuance of the Tribe Certificate has been turned down by the Sub-Divisional Officer in view of the order passed on 31.08.2018. The petitioner places reliance on the validation certificate issued in favour of his cousin brother by name Pandit Dattatraya Abbadwar. An affidavit sworn by the cousin brother Pandit is also placed on record.

2. We have perused the genealogy recorded in the affidavit tendered by Pandit. We have also perused the original record in respect of the tribe verification certificate pertaining to Pandit. In the proceedings, before the Scrutiny

Committee, Pandit has tendered an affidavit showing the genealogy. The genealogy recorded in the affidavit tendered in the proceeding before the Scrutiny Committee by Pandit is at variance with the genealogy recorded in the affidavit annexed to the instant petition.

3. It does appear that there is an attempt to mislead the court by recording a wrong genealogy. The Branch of Nana Lachmanna Abbadwar through whom the petitioner claims his entitlement is not at all shown in the genealogy recorded by Pandit in the affidavit tendered in the Scrutiny proceedings. Since there is an attempt to mislead the authorities and also this Court, in exercise of extraordinary jurisdiction under Article 226 of the Constitution of India, we do not deem it necessary to cause interference in the matter.

4. The petition being devoid of substance, stands rejected.

(MANGESH S. PATIL, J.)

(R.M.BORDE, J.)

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vmk/-