

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

WRIT PETITION NO.14291 OF 2017

Prakash Laxman Poisane

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr S.M. Vibhute, Advocate for petitioner

Mr A.V. Gondhalekar, A.G.P. for respondents no.1 to 3

Mr R.A. Tambe, Advocate for respondent no.4

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

DATE : 23rd February 2018

PER COURT

1. The tribe claim of the petitioner was referred to the Committee for verification. The Committee has cancelled the said tribe claim on the ground that Executive Magistrate, Parbhani did not have the jurisdiction, as the permanent place of the petitioner and his forefather was at AmrapurWaghundi, Taluka Paithan, District Aurangabad.

2. Mr Vibhute submits that the petitioner would apply to Sub Divisional Officer, Aurangabad, who is competent authority for persons residing in Taluka Paithan for issuance of tribe certificates.

3. Considering the above, we pass the following order:

(a) The petitioner may apply for issuance of tribe certificate to Sub Divisional Officer, Aurangabad on application being received by the Sub Divisional Officer, Aurangabad. The Sub Divisional Officer, Aurangabad shall issue the tribe certificate to the petitioner of 'Mannervarlu-S.T.' expeditiously and preferably within four weeks.

4. We have directed issuance of tribe certificate because petitioner was already issued tribe certificate, however, by another authority.
5. Upon receipt of the tribe certificate, the petitioner shall submit proposal to the Committee for verification of his tribe claim in the proper format within four weeks. The Committee shall accept the proposal, if submitted by the petitioner in the proper format for verification of his tribe claim and shall decide the same expeditious and preferably within eight months from the date of receipt of proposal.
6. The petitioner shall co-operate in the expeditious disposal of the tribe claim.
7. The respondents shall not take adverse action against the petitioner on the ground that he has not submitted validity certificate. However, the other benefits will be paid to the petitioner upon submission of validity certificate only.
8. Writ Petition disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)