

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

WRIT PETITION NO.4763 OF 2019

**SHILPA LALBA SHETEWAD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**...
Advocate for Petitioners : Jadhav Vivek U.
AGP for Respondents: V.M.Kagne**

...

**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 10/06/2019

PER COURT :

The application for issuance of tribe certificate to the petitioner is rejected. An appeal filed is dismissed. Mr.Jadhav, learned advocate for the petitioner submits that the father of the petitioner has been issued with tribe certificate of Koli Mahadev (Scheduled Tribe). The real brother of the petitioner is issued with the tribe certificate of Koli Mahadev (Scheduled Tribe). The application is rejected on the ground that evidence is not produced. The learned advocate submits that the school record of the petitioner records caste as Koli Mahadev.

2] The learned AGP submits that the committee has considered all the relevant documents on record and has rightly passed the order.

3] It is trite that at the time of issuance of tribe certificate the authority has arrived at *prima facie* satisfaction. Even otherwise tribe certificate has to undergo acid test before scrutiny committee at the

time of validation.

4] The father of the petitioner was issued with tribe certificate and the brother of the petitioner is also issued with tribe certificate considering *prima facie* documents, the impugned order is quashed and set aside.

5] Respondent no.3 shall issue tribe certificate to the petitioner of Koli Mahadev(Scheduled Tribe) within a period of 4 weeks from today. Naturally said certificate will have to undergo validation before the committee. Writ Petition is disposed of. No costs

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

umg/