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

WRIT PETITION NO.1168 OF 2019

Rohit s/o Mallinath Jamadar
Age - 23 years, Occu.Education
R/o Nandgaon, Tq. Tuljapur,
Dist. Parbhani.

..PETITIONER

VERSUS

1. The State of Maharashtra
Through its Principal Secretary
Tribal Development Department, Mantralaya,
Mumbai - 32.
2. The Scheduled Tribe Caste Scrutiny
/ Verification Committee, Aurangabad
3. Deputy Collector (Land Acquisition) / Competent
Authority, Osmanabad Tq. & Dist. Osmanabad
4. Sub-Divisional Officer, Osmanabad
Dist. Osmanabad.

..RESPONDENTS

Mr Omgashad B. Boinwad, Advocate for petitioner;
Mrs M. A. Deshpande, A.G.P. for respondents

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 30th JANUARY, 2019

ORAL ORDER:

Heard learned Counsel appearing for the petitioner.

2. Considering the grievance raised in the petition being of

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limited nature, the petition is taken up for final disposal at the admission stage with the consent of the parties.

3. The petitioner received a caste certificate issued by the competent authority on 6th December, 2012 stating social status of the petitioner that the petitioner belongs to *Mahadev - Koli Tribe*. This caste certificate was referred to the scrutiny committee through the Principal, Kolhapur Institute of Technology, Kolhapur and the Scrutiny Committee, by order dated 18th March 2016, decided to cancel the certificate issued in favour of the petitioner on 6th December, 2012 and permitted the petitioner to approach the competent authority for receiving a fresh certificate with proper nomenclature of the social status of the petitioner.

4. Accordingly, the petitioner submitted an application to respondent No.3 on 23rd May, 2016. The application was received by the authority on the very date i.e. 23rd May, 2016. Copy of the application with endorsement is placed on record at Exhibit - C. As there was no decision for considerable long time, the petitioner again approached the authority on 9th January, 2019.

5. The petitioner is a student and had completed his course of Engineering and is desirous of further education, as such, in a need of caste certificate.

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6. The learned Counsel invited our attention to the order passed by the Division Bench of this Court dated 17th January, 2019 in Writ Petition no. 12961 of 2018, copy of which is placed on record and marked as Exhibit - X for identification. Learned Counsel further submitted that the petitioner had already obtained the attested copy of the tribe certificate from the scrutiny committee and same is submitted to respondent No.4 - Sub-Divisional Officer, Osmanabad.

7. The learned Counsel for the petitioner, thus, prays for directions to respondent no. 4 to issue fresh tribe certificate.

8. In view of above referred facts, the petition is disposed of, with directions to respondent No. 4 - The Sub-Divisional Officer, Osmanabad that after verifying the attested copy of the tribe certificate, he shall issue the tribe certificate with correction in spelling of *Koli Mahadev*, as expeditiously as possible and preferably within six (6) weeks from today.

9. With above directions, the petition is disposed of.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

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