

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

WRIT PETITION NO.2612 OF 2019

**SMITA BABURAO MANE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr.P.V. Jadhavar, Advocate for the petitioner.
Mr.V.S. Badakh, AGP for respondent/State.

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

DATED : 22.02.2019

P.C. :-

1. Heard learned Counsel for the petitioner. A limited prayer is made in the petition on the backdrop of the grievance raised in the petition i.e. prayer clause "B" and same reads as under :-

"B) By issuing appropriate writ, order or direction in like nature, may kindly issue direction against respondent no.2 to issue proper nomenclature tribe certificate in favour of the petitioner as "Koli Mahadev" scheduled tribe in Form-C."

2. Copy of Caste Certificate dated 13.07.2011 issued by the Sub-divisional Magistrate, Osmanabad is placed on record at Exh."A" to submit that the Caste Certificate states social status of the petitioner as

"Koli-Mahadeo". Learned Counsel submits that as there is apparent mistake in the nomenclature, the petitioner approached the Sub-Divisional Officer by submitting application dated 11.02.2019 and thereby prayed for issuing fresh certificate with corrected nomenclature.

3. It is submitted that in a bunch of petitions, tribe certificates were issued to the petitioners regarding name of the tribe as "Mahadev Koli" and in-fact name of the tribe recorded in the presidential order is "Koli Mahadev". The Division Bench then disposed of the writ petitions with directions to the Sub-Divisional Officer to issue tribe certificate to the petitioners regarding name of the tribe as "Koli Mahadev", within a period of one week. Copy of the order is taken on record and marked "X" for the purpose of identification.

4. In view of the material placed on record, we see no reason to take different view than the view adopted by the Division Bench in order dated 19.06.2018.

5. Accordingly, the writ petition is disposed of in terms of prayer clause (B) and respondent No.2 is directed to issue Tribe Certificate to the petitioner regarding name of the tribe as "Koli Mahadev" within two weeks from today.

[S.M.GAVHANE, J.]

[PRASANNA B.VARALE, J.]