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

WRIT PETITION NO.2672 OF 2019

Tejas s/o Madhav Lakmod,
Age : 17 years, Occu. Student,
Through the Natural Guardian i.e.
Father Madhav s/o Jairam Lakmod,
Age : 50 years, Occu. Service,
R/o At Mandala, Post Bitnal,
Tq.Umri, Dist. Nanded

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai - 32
2. Joint Director and Member,
Scheduled Tribe Certificate
Verification Committee,
Aurangabad, Dist. Aurangabad
3. Sub-Divisional Officer,
Dharmabad, Dist. Nanded

..RESPONDENTS

Mr C.R. Thorat, Advocate for petitioner;
Mrs R.P. Gaur, A.G.P. for respondents

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

DATE : 7th March, 2019

ORAL ORDER:

Heard Mr Thorat, learned Counsel appearing on behalf of the
petitioner.

(2)

2. In identical fact situation, we have passed certain orders. As such, we see no impediment to dispose of the petition at the admission stage.

3. A copy of order of this Court dated 14th February, 2017 in a bunch of petitions is also placed on record at Exh.G.

4. The caste certificate was issued in favour of the petitioner through Sub-Divisional Officer on 22nd June, 2012, referring to the nomenclature as "Mannerwarlu". The petitioner was admitted in one junior college, namely, Blue Bells Junior College and his caste claim was forwarded to the Scrutiny Committee on 22nd January, 2019. The Scrutiny Committee expressed its inability to decide the claim on the ground that there is an error in the caste certificate. The petitioner then immediately approached the Sub-Divisional Officer and submitted an application for issuance of the certificate with corrected nomenclature. A copy of the said application is placed at Exh.B. The said application is pending before the Sub-Divisional Officer.

5. As the petitioner is prosecuting his academic career in 12th standard, he is desirous to have the certificate with corrected

(3)

nomenclature so as to appear for further course of education and particularly the professional courses. It is also submitted by the learned Counsel appearing on behalf of the petitioner that the petitioner had surrendered original certificate to Sub-Divisional Officer so as to seek fresh certificate.

6. In view of aforesaid facts, the petition is taken up for hearing/disposal order.

7. Notice to respondents, returnable forthwith.

8. Learned A.G.P. waives service of notice on behalf of respondent nos.1 to 3.

9. In the light of what has been stated above, writ petition is allowed in terms of prayer clause (A) and (B).

(S.M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

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