

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 2671 OF 2019

Mangesh s/o Madhav Lakmod
age 23 years, occ. student
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.
4. The Principal,
Gramin Polytechnic,
Vishnuuri,
Dist. Nanded.

Respondents

Mr. C.R. Thorat, advocate for petitioner.
Mrs. G.L. Deshpande, AGP for respondents no. 1 to 3.

**CORAM : PRASANNA B. VARALE AND
NITIN W. SAMBRE, JJ.**

DATE : 11th March, 2019.

ORAL ORDER :

Heard learned counsel for the petitioner.

2. Petitioner is a student pursuing Diploma course in

Polytechnic with respondent no. 5. A tribe certificate had been issued in favour of the petitioner by the Sub- Divisional Officer on 5th June, 2008. As there was an error in the certificate referring the status of the petitioner and instead of letter 'V' it was spelled as 'Mannerwarlu' with letter 'W', the petitioner submitted an application to respondent no. 2 - Sub- Divisional Officer, Nanded, seeking a fresh certificate with a proper nomenclature.

3. Our attention was invited to the Government Circular dated 22nd June, 2016. It is also submitted by the learned counsel for the petitioner that this very issue of the spelling errors was considered by this Court in the judgment and order dated 4th February, 2016 in Writ Petition No. 1242 of 2016 and Writ Petition No. 1418 of 2016. Learned counsel submitted that the petitioner is also aware of the new procedure, namely, submission of on-line application to the Sub- Divisional Officer for issuance of tribe certificate and the petitioner is ready to undertake the exercise of submission of application by way of on-line process. As the petitioner apprehends the disturbance in his service due to non submission of the tribe certificate, he is before this court.

4. Our attention was invited to the order of this Court dated 27th November, 2018 in Writ Petition No. 12472 of 2018. We see no reason to take a different view than the view adopted by the Division Bench of this Court in its order dated 27th November, 2018.

5. The petitioner undertakes to tender on-line application to the Sub-Divisional Officer for issuance of tribe certificate within one

week.

6. On tendering of the application as well as presentation of the hard copy of the application to the Sub-Divisional Officer alongwith the tribe certificate already issued to the petitioner recording entry of the tribe as 'Mannerwarlu', the Sub-Divisional Officer shall, without embarking upon further enquiry into the matter, issue corrected tribe certificate recording name of the tribe as 'Mannervarlu', as expeditiously as possible and preferably within eight weeks from the date of tendering the application.

7. With the above directions, writ petition is disposed of.

NITIN W. SAMBRE
JUDGE

PRASANNA B. VARALE
JUDGE

dyb