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

WRIT PETITION NO. 4300 OF 2019

Rashmi d/o Parshuram Yesalwad,
Age: 20 years, Occu. Student,
R/o Jay Kranti Niwas, Vijay Nagar,
Nanded Housing Society, Shivaji Nagar,
Nanded, Tq. and Dist. Nanded.

..PETITIONER

VERSUS

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

..RESPONDENTS

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

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

DATE : 30th April, 2019

ORAL ORDER:

Heard learned counsel appearing on behalf of the petitioner.

(2)

2. The petitioner is a student and prosecuting her studies in B.Sc. final year. She is belonging to "Mannervarlu" Scheduled Tribe. A tribe certificate had been issued in her favour by the Sub Divisional Officer, Nanded on 3rd December, 2009, of which copy is placed on record at Exh.'A'. 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 tribe claim of the petitioner was referred to respondent No.2 - Scheduled Tribe Certificate Verification Committee, Aurangabad for verification and respondent No.2 directed the petitioner to get a fresh caste certificate with correct 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. He further 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 she is ready to undertake the exercise of submission of application by way of on-line process. As the petitioner apprehends the disturbance in her further education due to non submission of the tribe certificate, she is before this Court.

(3)

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 along with 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.

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

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)