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

WRIT PETITION NO.2748 OF 2019

Dinesh s/o Nagnath Lolapod,
Age: 30 years, Occ: Nil,
R/o. Saikhed, Tq. Dharmabad,
Dist. Nanded

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through Secretary to
Tribal Development Department,
Mantralaya, Mumbai

2. The Sub Divisional Officer,
Dharmabad, Dist. Nanded

..RESPONDENTS

Mr Sunil M. Vibhute, Advocate for petitioner;
Mr K.N. Lokhande, A.G.P. for respondent/State;

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

DATE : 1st MARCH, 2019

ORAL ORDER :

Heard Mr. Vibhute, learned Counsel
appearing for the petitioner.

2. On the backdrop of principal prayer in the

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petition i.e. prayer clause - B - "The respondent No. 2 Sub Divisional Officer may kindly be directed to correct the nomenclature of the Tribe in the Tribe Certificate of the petitioners as 'Mannervarlu' in stead of 'Mannerwarlu', and issue such corrected Tribe Certificate to the petitioner in prescribed format having proper nomenclature as 'Mannervarlu' Tribe, as early as possible" and as this aspect is considered by this Court in various judgments, the petition is disposed of at admission stage. Issue notice to the respondents, returnable forthwith. Learned A.G.P. waives service of notice for both the respondents.

3. The petitioner has been selected as Clerk from Scheduled Tribe category in the employment of Maharashtra State Road Transport Corporation, Raigad Division. Though the petitioner is selected, he will have to wait for appointment order on the ground of non availability of the tribe certificate and this may cause serious prejudice to the petitioner, as such, the

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petitioner is before this Court.

4. Learned Counsel for the petitioner submits that the issue insofar as incorrect nomenclature and directions to the authorities to issue fresh certificate with correct nomenclature is no more *res integra* in view of various decisions of this Court. Reliance is placed on the order of this Court dated 21st February, 2019 in Writ Petition No. 2457 of 2019.

5. The petitioner has submitted an application to the Sub Divisional Officer, Dharmabad on 21st February, 2019 with reasons to issue fresh certificate with correct nomenclature. The tribe certificate issued by the Deputy Collector, Nanded is also placed on record at Exhibit-A to submit that this tribe certificate refers to incorrect nomenclature i.e. 'Mannerwarlu ST', in stead of 'Mannervarlu ST'.

6. The petitioner undertakes to tender on

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line application to the Sub Divisional Officer for issuance of tribe certificate within one week.

7. 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.

8. With these directions, the petition is disposed of.

(S.M.GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE