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

**WRIT PETITION NO. 3796 OF 2019**

Vaishnavi D/o Shankarrao Pupulwad

Age: Minor, Occ: Education

R/o Mandala, Tq. Umri

Dist. Nanded

Through father/Natural Guardian

Shankar S/o Sayabu Pupulwad

Age 40 years, Occu.Service

R/o As above

..PETITIONER

VERSUS

1. The Union of India  
Through its Secretary to  
Ministry of Human Resource Development  
Department of Science and Higher Education,  
Government of India.

2. The Principal,  
Jawahar Navodaya Vidyalaya  
Ministry of Human Resource Development  
Department of Science and Higher Education,  
Government of India  
Shankarrao, Biloli, Tq. Biloli  
District: Nanded

3. The Sub-Divisional Officer Dharmabad  
District: Nanded

..RESPONDENTS

Mr S. M. Vibhute, Advocate for Petitioner;

Mrs Sudha Kulte for Respondent Nos. 1 & 2;

Mrs M. A. Deshpande, A.G.P. for Respondent No.3

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

**DATE : 26th MARCH, 2019**

**ORAL ORDER:**

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

2. The petitioner, a minor student has approached this court through her natural guardian father seeking directions to respondent Nos.1 and 2 of protecting her academic career with directions to admit her in 6th standard, and further directions to respondent No.3 to issue tribe certificate for 'Mannervarlu tribe' expeditiously.

3. Perusal of the material placed on record shows that tribe certificate in favour of the father of the petitioner is issued through the Taluka Executive Magistrate, Bhokar on 7th October, 1993. The copy of the admission register of the father of the petitioner is also placed on record in support of the submission that the father of the petitioner belongs to 'Munnervarlu- Scheduled Tribe' at Exhibit-A. Tribe certificate issued in favour of the uncle of the petitioner and brother of father of the petitioner Omkesh Shankarrao Puppulwad s/o Shakar Saybu Puppulwad is placed on record at Exhibit-B. The copy of letter dated 27th February 2019 is also placed on record at Exhibit-C to submit that the petitioner is selected in the entrance examination for prosecuting studies in VI standard in Jawahar Navodaya Vidyalaya at Shankarnagar, Biloli, Tq.Biloli, District Nanded.

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The petitioner is informed to submit the tribe certificate. Mr Vibhute, learned Counsel for the petitioner submitted that as the petitioner is hardly ten years of age and till the admission in Jawahar Navodaya Vidyalaya, the petitioner had no occasion to submit any application for tribe certificate and in view of the admission letter, the application was immediately submitted to the Sub-Divisional Officer, Dharmabad, District Nanded for issuance of tribe certificate in favour of the petitioner i.e Vaishnavi Shankarrao Pulpwad. The application along with necessary documents in on-line format submitted by the petitioner.

4. The submission of Mr Vibhute, learned Counsel appearing for the petitioner is, the delay in issuance to certificate may lead to cancellation of admission of the petitioner in respondent No.2 - school and this would further lead to deprive the petitioner from prosecuting her academic course and such a loss caused to the petitioner would be irreparable and cannot be compensated in any terms of money. Thus, learned Counsel prayed for directions to respondent No. 3 to issue tribe certificate and further prayed for protection of the academic career of the petitioner. Learned Counsel also invited our attention to the order passed on 19th July, 2017 in Writ Petition No. 8914 of 2017. Though the order of the Division Bench dated 19th July, 2017 was passed on the statement made before this Court through the Sub-Divisional Officer Kandhar, considering the above referred material, we are of the opinion that learned Counsel for

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the petitioner has made out a case.

5. As such, the petition is disposed of with directions to respondent No.3 - Sub-Divisional Officer, Dharmabad, District Nanded to issue tribe certificate to the petitioner on the basis of on-line application submitted to him on 8th March, 2019 as expeditiously as possible and not later than four weeks from the date of receipt of the order of this Court. We direct respondent No.2 - The Principal, Jawahar Navodaya Vidyalaya, Shankarnagar, Biloli, Tq. Biloli, District Nanded not to take any coercive action against the petitioner for non submission of the tribe certificate for a period of four weeks and permit the petitioner to attend the classes of 6th standard.

With above directions, the petition is disposed of accordingly.

**( NITIN W. SAMBRE )**  
**JUDGE**

**( PRASANNA B. VARALE )**  
**JUDGE**

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