

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

WRIT PETITION NO. 4158 OF 2019

Swikruti D/o Gangadhar Lakhmawad

Age: Minor, Occ: Education

R/o: Ratnali, Tq. Dharmabad

Dist: Nanded

Tjthrough father & natural guardian

Gangadhar S/o Devanna Lakhmawad

Age: 51 years Occ: Service

R/o: As above

... 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. S.M. Vibhute, Advocate for petitioner.

Ms. G. L. Deshpande, AGP for the State.

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

DATED : 01st APRIL, 2019

PER COURT:-

1. It is the case of petitioner who belongs to 'Mannervarlu' Schedule Tribe. The petitioner has passed 11th Science and going to admit for 12th Science at Science College Nanded. A tribe certificate had been issued in favour of the petitioner by the Sub Divisional Officer on 22/08/2011. 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, Dharmabad, seeking a fresh certificate with a proper nomenclature.

2. 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 her education due to non submission of the tribe certificate, she is before this Court.

3. 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.

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

5. 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.

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

(NITIN W. SAMBRE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

SMS