

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.4932 OF 2019

Deepak s/o Sayalu Mankod

Petitioner

Versus

The State of Maharashtra & another

Respondents

Mr.Sunil M. Vibhute, advocate for the petitioner.
Mrs.P.V.Diggikar, AGP for Respondents.

**CORAM : PRASANNA B. VARALE AND
NITIN W. SAMBRE, JJ.
DATE : 26th April, 2019.**

P.C. :

1 It is the case of the petitioner that he belongs to 'Mannervarlu', Scheduled Tribe. The petitioner has appeared for 12th Science (HSC) examination held in February/March 2019 and wish to appear for MHT-CET examination from Scheduled Tribe category.

2 A Tribe certificate had been issued in favour of the petitioner by the Sub Divisional Officer on 14.08.2013. As there was an error in the certificate referring the social status of the petitioner i.e. instead of "Mannervarlu", it was spelled as Mannerwarlu", the petitioner submitted an application to the Sub Divisional Officer, seeking a fresh certificate with proper nomenclature of the tribe.

2 Our attention is 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 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 online 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 online process. As the Sub Divisional Officer has not yet issued tribe certificate with proper nomenclature of the tribe, the petitioner is before this Court.

3 Our attention is also 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 online 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 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, without embarking upon further enquiry into the matter, shall issue corrected tribe certificate recording name of the tribe as “Mannerwarlu”, as expeditiously as possible and preferably within eight weeks from the date of tendering the application.

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

NITIN W. SAMBRE
JUDGE

PRASANNA B. VARALE
JUDGE

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