

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5716 OF 2018

BHAKTPRALHAD SHIVAJI JADHAV

VERSUS

SUB DIVISIONAL OFFICER DHARMABAD AND ANOTHER

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Advocate for Petitioner : Mr. Phatale Sagar S.

AGP for Respondents : Mr. Y. G. Gujrathi

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CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 18th MARCH, 2019

PER COURT :

1. The application filed by the petitioner seeking tribe certificate of Thakur, Scheduled Tribe is rejected. The appeal filed against the same is also dismissed. Aggrieved thereby the present petition.

2. We have heard Mr. Phatale, learned counsel for the petitioner and the learned A.G.P. for the respondents.

3. It appears that the father of the petitioner has been issued with the tribe certificate of

Thakur, Scheduled Tribe. Thereafter, the real brother of the petitioner is issued with the tribe certificate of Thakur, Scheduled Tribe on 15.08.2015. The school record of the petitioner's father, petitioner and his brother records caste as Thakur.

4. At this stage, the committee has to be *prima facie* satisfied. Even otherwise, the said tribe certificate will have to undergo scrutiny at the time of validation proceeding.

5. In the light of above, the impugned orders are quashed and set aside. Respondent no. 1 shall issue tribe certificate to the petitioner of Thakur, Scheduled Tribe within a period of four (04) weeks from today which certificate shall have to undergo verification by the committee.

6. Writ Petition stands disposed of accordingly.
No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]
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