

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

WRIT PETITION NO. 8625 OF 2018

Yogesh Balaji Kanchtwar .. Petitioner

Versus

The Sub Divisional Officer, Bhokar
and another .. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioner.

Shri Y. G. Gujrathi, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 22ND APRIL, 2019.

FINAL ORDER :

. The petitioner had applied for issuance of tribe certificate of Mannervarlu (Scheduled Tribe). Same is rejected. Appeal filed against it is dismissed. Aggrieved thereby present writ petition.

2. Mr. Phatale, the learned counsel for the petitioner submits that, the school record of the petitioner records tribe as Mannervarlu (S.T.). So also school record of real cousin Vitthal Dhondiba also records tribe as Mannervarlu. Vitthal Dhondiba is also issued with tribe certificate of Mannervarlu (S.T.) The cousin brother of the petitioner Atul Kanchatwar is also issued with validity certificate of Mannervarlu (S.T.). These aspects are not considered.

3. The learned Assistant Government Pleader submits that, no old documents are produced by the petitioner. The petitioner's school record is of recent origin. The committee has rightly passed the order.

4. At the time of issuance of tribe certificate, the authority has to be prima facie satisfied. Long drawn enquiry is not contemplated at the time of issuance of tribe certificate. Even otherwise the tribe certificate is subject to verification by the scrutiny committee in validation proceedings. The school record of the petitioner records tribe as Mannervarlu. So also it appears that the real uncle's son Vitthal Dhondiba has been issued with tribe certificate of Mannervarlu (S.T.) A distant cousin has been issued with validity certificate of Mannervarlu.

5. Considering the above, the impugned orders are quashed and set aside. The respondent No. 1 shall issue tribe certificate to the petitioner as belonging to Mannervarlu (S.T.) within a period of four (04) weeks from today. Naturally, said tribe certificate will have to undergo the acid test of verification in validation proceedings before the Scrutiny Committee. The writ petition accordingly is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]