

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

WRIT PETITION NO. 8686 OF 2018

Ramchandra Maroti Narlawar .. Petitioner

Versus

The Sub Divisional Officer, Degloor
and another .. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioner.
Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 30TH JULY, 2019.

FINAL ORDER :

. Application filed by the petitioner for issuance of tribe certificate is rejected. Appeal filed against the same is also dismissed.

2. Mr. Phatale, the learned counsel for the petitioner submits that, the real uncle's son of the petitioner has been issued with the validity certificate of Mahadev Koli (Scheduled Tribe). The school record of the uncle of the petitioner and petitioner records tribe as Mahadev Koli. The father of the petitioner is illiterate.

2. Mr. Pulkundwar, the learned Assistant Government

Pleader submits that, in respect of relative of the petitioner entries in the record show tribe as Koli. The Committee has considered the said aspect.

3. It is trite that, at the stage of issuance of tribe certificate the authority has to prima facie satisfy. From the genealogy placed on record, it appears that, real paternal uncle's son Vithal Baliram is issued with the validity certificate of Mahadev Koli (S.T.) The school record of the uncle of the petitioner, petitioner and his cousin brother records tribe as Mahadev Koli.

4. Even otherwise the tribe certificate will have to undergo scrutiny at the time of validation proceeding.

5. Considering the above, the impugned orders are quashed and set aside. The Sub Divisional Officer, Degloor shall issue tribe certificate to the petitioner of Mahadev Koli (Scheduled Tribe) expeditiously. Said certificate will be subject to the scrutiny in the validation proceeding.

6. In view of the above, the writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 19