

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

WRIT PETITION NO.8613 OF 2019

Yatharth s/o Yogesh Thakur and anr. .. Petitioners

Versus

The State of Maharashtra and ors. .. Respondents

Mr K.T.Shirurkar, Advocate for petitioners

Mr P.S. Patil, Addl. G.P. for respondents no.1 to 3

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 28.08.2019

ORAL ORDER :

1. The petitioners have applied for issuance of tribe certificates of Thakur – S.T. Category. The Sub-Divisional Officer, Faizpur rejected the claim of the petitioners. The petitioners filed appeal before the Committee. The Committee remanded the matter to the Sub-Divisional Officer, Faizpur.

2. It is submitted that the father of the petitioners Yogesh Shivdas Thakur is issued with the tribe certificate of Thakur – S.T. category on 31.1.2004. It is further contended by the learned Counsel for the petitioners that the grand father of the petitioners Shivdas Dhondur Thakur is issued with the tribe certificate of Thakur – S.T. On 20.5.1982.

3. According to the learned Counsel for the petitioners, the school record of the petitioners also records their caste as Thakur, so also of their father.

W.P.8613.19

4. We have also heard learned A.G.P.
5. It is trite that at the time of issuance of tribe certificate, the authority has to be prima facie satisfied. The validity certificates are issued to the father and grand father of the petitioners.
6. Considering the above, the impugned orders are quashed and set aside.
7. The Sub-Divisional Officer, Faizpur shall issue certificates to the petitioners of Thakur – S.T. within four weeks from today. Naturally, the said certificates to undergo verification by the Scrutiny Committee.
8. Writ Petition stands disposed of. No costs.

(ANIL S. KILOR, J.)**(S.V. GANGAPURWALA, J.)**

vvr