

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

1112 WRIT PETITION NO.13017 OF 2018

KANHAYYALAL ARJUN THAKUR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr.A.S.Golegaonkar, Advocate for Petitioners.

Mr. P.S.Patil, AGP for R - 1 to 3 - State.

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

DATE : 25/01/2019

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ORAL ORDER:

. The application filed by the petitioners for issuance of tribe certificate of 'Thakur – Scheduled Tribe' is rejected. The Appeal is dismissed. Aggrieved thereby the present petition.

2. We have heard learned counsel for petitioners and learned A.G.P. for State.

3. The petitioners have relied on the validity certificate issued in favour of one Jitendra Subhash Thakur. The petitioners claim that he is their paternal cousin as per the genealogy submitted by them. They also relied on school leaving certificate of Rajaram Bahadur regarding caste as 'Thakur'. The petitioners claim that said Rajaram is their cousin grand-father. The school record of the petitioners records as 'Thakur'.

4. At this stage, the Court is required to be prima facie satisfied. Even otherwise the tribe certificate will have to undergo acid test

before the scrutiny committee at the time of verification. Considering the aforesaid documents, the impugned order is quashed and set aside. Respondent No. 3, the Sub Divisional Officer shall issue tribe certificate to the petitioner of Thakur – Scheduled Tribe' within a period of two weeks from today, which certificate will undergo verification before the scrutiny committee.

5. Writ Petition accordingly disposed of.

[A.M.DHAVALA]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

KNP.