

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

119 WRIT PETITION NO.13679 OF 2018

DIKSHA YOGESH SONWANE AND OTHERS THROUGH FATHER
YOGESH LALCHAND SONAWANE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. K. T. Shirrurkar, Advocate for the Petitioner.
Mr. P. K. Lakhotiya, AGP for Respondents-State.

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

DATED : 1st JULY, 2019.

PER COURT:-

1. The application for issuance of caste certificate is rejected. The appeal is also dismissed. Aggrieved thereby, the present writ petition.

2. It is submitted by the learned counsel for the petitioner that the petitioner is issued with tribe certificate. The school record of the petitioner and his father record caste as "Tokare Koli", Scheduled Tribe. The same has not been considered by the Committee.

3. The learned A.G.P. submits that there are contra evidence on record. The record of father and grandfather of the petitioner shows caste as

"Koli". Even, the other record shows entry as "Suryawanshi Koli". The same are old records.

4. At this stage only prima facie satisfaction is that the father of the petitioner issued with tribe certificate. As far as contra entries of the father and grandfather father of the petitioner are concerned, that certainly will have to be considered while considering the validation proceedings. The committee certainly would consider the contra evidence on record and take decision, however, the father of the petitioner is already issued with tribe certificate.

5. Considering the above, impugned orders are quashed and set aside. The respondent-Sub Divisional Officer shall issue tribe certificate to the petitioner of "Thokare Koli", Scheduled Tribe, which certainly will have to be sent for verification to the Committee.

6. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE