

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14280 OF 2018

SANGEETA BABURAO KARRE
ALIAS SANGEETA SUBHASH MUPADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Yenegure Apparao
AGP for Respondents : Mr. P. S. Patil

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CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 27th MARCH, 2019

PER COURT :

1. The application filed by the petitioner for issuance of tribe certificate of Mannerwarlu, Scheduled Tribe is rejected. The appeal is also dismissed.

2. We have heard learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. It is submitted that the real uncle's daughter Shradha has been issued with the validity certificate of Mannerwarlu, Scheduled Tribe. According to the learned counsel for the

petitioner, the petitioner's school record also records caste as Mannerwarlu.

4. At this stage, the Court has to be *prima facie* satisfied. As contended by the learned counsel for the petitioner, the real uncle's daughter has been issued with the validity certificate, naturally the tribe certificate issued to the petitioner will also have to undergo scrutiny at the time of validation proceeding by the committee. At that stage the committee can make enquiry into all aspects including the relationship.

5. Considering the above, the impugned order is quashed and set aside. Respondent no. 3 shall issue tribe certificate to the petitioner of Mannerwarlu, Scheduled Tribe which shall have to undergo scrutiny at the time of validation proceeding by the committee. The said certificate be issued within a period of four (04) weeks.

6. Writ Petition stands disposed of accordingly. No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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