

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

**993 WRIT PETITION NO.4082 OF 2019**

**PRASHANT KOMALSING THAKUR  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Pawar Ajay D.  
AGP for Respondents: S.G.Karlekar**

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

**DATE : 26/06/2019**

**PER COURT :**

Mr.Pawar, learned counsel submits that the application filed by the petitioner for issuance of tribe certificate of Thakur (Scheduled Tribe) is rejected. The appeal filed is dismissed. The learned counsel submits that school record of the grand father records caste as Thakur. The said document is of the year 1948. The school record of the petitioner also records caste as Thakur (ST) The father of the petitioner is issued with the caste certificate of Thakur (ST). Still the committee and the Sub Divisional Officer has rejected it solely on the ground of area restriction. The documents are not discussed by the committee.

2] Mr.S.G.Karlekar, learned Addl.Govt.Pleader submits that the area where the petitioner is residing is not an area where Thakur (ST) reside. The said aspect has been rightly considered.

3] At the time of issuance of caste certificate, the authority has to be prima facie satisfied. The petitioner has produced 3 independent

documents i.e. school record of his grand father recording caste as Thakur(ST). The father of the petitioner is also issued with the caste certificate of Thakur (ST). The school record of the petitioner also records caste as Thakur (ST).

4] In view of the above, the impugned orders are quashed and set aside. The Sub Divisional Officer is directed to issue tribe certificate to the petitioner of Thakur (ST) within a period of 1 week. Writ Petition is accordingly disposed of. No costs.

**(MANGESH S. PATIL,J.)**

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

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