

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

WRIT PETITION NO. 10135 OF 2019

Ketan Vasant Magre Through
Father Vasant Vishram Magare

.. Petitioner

Versus

Sub Divisional Officer,
Shirpur and another

.. Respondents

Mr. Sagar S. Phatale, Advocate for the Petitioner.
Mr. S. B. Narwade, AGP for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 29th JANUARY, 2020.

PER COURT:-

. The application filed by the petitioner for issuance of tribe certificate as belonging to “Tokare Koli” (Scheduled Tribe) is rejected. Appeal is dismissed.

2. Heard Mr. Phatale, learned counsel for the petitioner.

3. The learned A.G.P. submits that in the school record of the petitioner’s uncle Daulat Ragho the entry of tribe is “Dhor Koli”. In case of the father of the petitioner the entry in the school record is “Hindu Koli”. These are contra entries.

4. It has been pointed out that the entry of the real uncle of the petitioner is “Tokare Koli”. The grandfather of the petitioner Vishram Ragho is issued with the tribe certificate of “Tokare Koli” (Scheduled Tribe) on 01.09.1979. The school record of the real uncle of the petitioner Hemant also records tribe as “Hindu Tokare Koli”. The school record of the another uncle Sunil also records tribe as “Tokare Koli”.

5. It is trite that at the time of issuance of tribe certificate prima facie satisfaction is sufficient. Considering the tribe certificate already issued to the grandfather of the petitioner, we pass the following order.

6. The impugned orders are quashed and set aside. The respondent No. 1 shall issue tribe certificate to the petitioner of “Tokare Koli” (Scheduled Tribe) which shall have to be verified by the Scrutiny Committee. The tribe certificate shall be issued within a period of four (04) weeks from today.

7. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.