

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1189 OF 2021

Lakshman S/o Madhav Nirmalwad

...Petitioner

Versus

The State of Maharashtra and Anr.

...Respondents

Mr S.M. Vibhute, Advocate for Petitioner

Mr S.R. Yadav (Lonikar), A.G.P. for Respondent-State

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

DATE : 21st JANUARY, 2021

PER COURT :

1. The learned Counsel submits that at the time of Presidential notification of including the 'Mannervarlu' as Scheduled Tribe, the petitioner's family was resident of village Ritha, Tq. Bhokar, Dist. Nanded.
2. The learned Counsel submits that the petitioner was issued with the caste certificate by Sub Divisional Officer, Bhiwandi. However, the same is without jurisdiction as the petitioner's family on the relevant date was resident of Taluka Bhokar, Dist. Nanded. The petitioner has given application for issuance of caste certificate from Sub Divisional Officer, Bhokar. However, the same is not being decided.
3. The Full Bench of this Court in case of ***Rajendra Shivram Thakur Vs. The State of Maharashtra reported in 2019 (4) Mh.L.J. 721,*** has held that the place of residence at the time of Presidential notification

would be relevant for considering the jurisdiction of the Sub Divisional Officer to issue the caste certificate.

4. Upon being satisfied that the petitioner's family was resident of Taluka Bhokar on the relevant date, then the Sub Divisional Officer, Bhokar may consider issuance of caste certificate to the petitioner in a Central Government format. It is submitted that the father of the petitioner is issued with the caste certificate. The petitioner is also issued with the caste certificate by Sub Divisional Officer, Bhiwandi. The petitioner shall surrender original caste certificate issued by the Sub Divisional Officer, Bhiwandi to Sub Divisional Officer, Bhokar.

5. The application shall be decided expeditiously preferably within a period of two weeks from today.

6. Writ Petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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