

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3579 OF 2020

NARAYAN RATAN PUTTEWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Paratap V. Jadhavar
AGP for Respondent nos. 1 to 5 : Mr. S. G. Sangle

...

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 18TH NOVEMBER 2021

PC :

1. Having heard the learned counsel for the petitioner and the learned AGP, we find that this petition can be disposed off with a direction to the Sub-Divisional Officer, Ahmedpur, District Latur, to issue a duplicate copy of the tribe certificate serial No. 785 dated 12-05-2017, issued by said authority at Ahmedpur.

2. The affidavit in reply filed by the Tahsildar, Chakur dated 22-10-2021 clearly states in paragraph no.3 that the photostat copy of the certificate which is placed at page no.18 (Exhibit-D) of the petition by the petitioner, may not be doubted. The contents are true and correct.

3. We are of the view that a photostat copy, however, correct it may be, cannot be pressed into service in legal proceedings. As the petitioner has lost his original certificate, issuance of a duplicate certificate so as to be presented for seeking validation of his claim, would serve the purpose.

4. In view of the above, this Petition is disposed off. We direct the petitioner to enter a formal application to the Sub Divisional Officer, Ahmedpur, by 24th November, 2021, for seeking a duplicate copy of his certificate serial No. 785 in form "C", which is placed at Page No. 18 (Exhibit-D) of the paper book of this petition. After receiving such application and depositing requisite fees, if any, by the petitioner, the Sub Divisional Officer, Ahmedpur shall issue a duplicate certificate to the petitioner by 5.00 p.m. on 26-11-2021 and the petitioner shall personally collect the said certificate from the said office.

5. The petitioner shall, thereafter, deposit the said duplicate certificate before the Competent Tribe Scrutiny Committee, which shall accept the said certificate as a part of the documentation of the petitioner for considering his validation claim.

6. We further direct that respondent No. 2 shall decide the tribe claim of the petitioner on or before 31-12-2022, if the petitioner prefers his claim, before 15th December, 2021.

7. Respondent No. 5 shall not initiate any action against the petitioner, for having not filed the tribe validity certificate, till 31-12-2022 or till the tribe claim is decided, whichever is earlier.

8. The petitioner shall render fullest cooperation to the Committee. An adjournment on trivial grounds would not be entertained. In the event of which, the respondent-Committee shall proceed to the next stage in the matter.

[S.G. MEHARE, J.]

[RAVINDRA V. GHUGE, J.]