

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

WRIT PETITION NO. 5944 OF 2021

Prashant Dilip Koli

.. Petitioner

Versus

The State of Maharashtra and another

.. Respondents

Mr. Mohanish V. Thorat, Advocate for the Petitioner.

Mr. A. A. Jagatkar, AGP for Respondent Nos. 1 and 2.

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

DATED : 20th April, 2021.

PER COURT:-

. The petitioner was issued with the tribe certificate of “Tokre Koli” (Scheduled Tribe). The petitioner submitted the proposal for validation of the said tribe certificate. The proposal is rejected on the ground that the tribe certificate contains “incorrect caste certificate details”.

2. The learned A.G.P. on instructions submits that the tribe certificate was not in proper format.

3. Subsequently, the petitioner applied for the issuance of tribe certificate in correct format. Under the impugned order, the same is rejected on the ground that the petitioner has not submitted proper documents to prove his tribe claim.

4. The Sub Divisional Officer was supposed to issue the tribe certificate in the proper format. The tribe certificate is already issued to the petitioner.

5. If the then Sub Divisional Officer was satisfied with the documents submitted and had issued the tribe certificate, the Sub Divisional Officer by the impugned order could not have rejected it. He is required to perform only Ministerial job of issuing the tribe certificate in the proper format.

6. In the light of the above, the impugned order is quashed and set aside.

7. The learned counsel for the petitioner submits that the petitioner has submitted the original tribe certificate with incorrect details to the Sub Divisional Officer. In that case after verifying it, the Sub Divisional Officer shall issue the tribe certificate in the correct format expeditiously and preferably within a period of six (06) weeks from today.

8. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.