

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

172 WRIT PETITION NO.13064 OF 2021

PARAS ABHIMAN SALUNKE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr.P.V. Jadhavar, Advocate for the petitioners
Mr.A.R. Kale, AGP for the respondent/State.

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CORAM : S.V. GANGAPURWALA
AND

S.G. DIGE, JJ.

DATE : 20th DECEMBER, 2021

PER COURT :-

1. The application for issuance of caste certificates of the petitioners of "Tokre Koli", Scheduled Tribe is rejected. Appeal filed by the petitioners is dismissed.

2. Mr.Jadhvar, learned counsel submits that the father of the petitioners Ahiman Salunke and real sister of the petitioners namely Deepali D/o Abhiman Salunke are issued the caste certificates of Tokre Koli, Scheduled Tribe. The application is rejected on the ground that the documents of the petitioners are of recent origin.

3. The learned A.G.P. submits that older documents record the caste as Other Backward in the caste column of the school record.

4. It is not in dispute that the petitioners' father namely Abhiman Salunke and real sister Deepali Abhiman Salunke are issued caste certificates of Tokre Koli, Scheduled Tribe by the Sub-Divisional Officer.

5. At this stage, prima facie satisfaction is sufficient, even otherwise caste certificates issued to the petitioners would have undergone affinity test before the Scrutiny Committee.

6. Considering the caste certificates issued in favour of the father of the petitioners and sister of the petitioners, we pass the following order :-

ORDER

(i) The impugned orders are set aside.

(ii) Respondent No.3 shall issue caste certificates to the petitioners of Tokre Koli, Scheduled Tribe in the relevant form.

(iii) The Writ Petition is disposed of. No costs.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)