

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

991 WRIT PETITION NO. 2656 OF 2020

SHRAVANI GANESH KOLI THORUGH GANESH MAHADEV KOLI
AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Pratap V. Jadhavar
Addl. GP for Respondent Nos. 1 to 3 : Mr.P. S. Patil

...
CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.

DATE : 23rd FEBRUARY, 2022

PER COURT :-

1. The applications filed for issuance of caste certificates of 'Koli Mahadev' Scheduled tribe is rejected. The appeal preferred is dismissed.
2. Mr. Jadhavar, learned counsel for the petitioners submits that only on the ground that documents prior to the year 1950 are not filed, the Committee failed to consider the case of the petitioners.
3. The learned Additional Government Pleader submits that in the school record of the father of the petitioners of the year 2004 caste is recorded as 'Hindu Koli' and in the bracket 'Mahadev' is mentioned. This aspect has been considered by the Committee also. Surname of the petitioners is shown as 'Koli', the said fact is also considered by the Committee.
4. In the school record of the father of the petitioners the caste is recorded as 'Mahadev Koli' the same is of the year 1993. In the school record of uncle of the petitioners of the year 1995 the caste is recorded as 'Mahadev Koli'.

5. At this stage, *prima facie* satisfaction is sufficient, even otherwise the caste certificate has to undergo acid test before the Scrutiny Committee at the time of validation of caste certificate.

6. In light of the above, the impugned orders are quashed and set aside. The Sub-Divisional Officer, Osmanabad shall consider applications of the petitioners on the basis of documents produced by the petitioners and take decision upon it, on its own merits, in accordance with law, expeditiously and preferably within a period of (08) weeks from the date of appearance of the petitioners. The petitioners shall appear before the Sub-Divisional Officer on 14-03-2022.

7. In view of the above, writ petition is disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE