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

WRIT PETITION NO.4278 OF 2022

Krishna s/o Shivajirao Nagamwad,
Age : 17 years, Occu. Student,
Through the natural Guardian i.e. Mother
Lata w/o Shivaji Nagamwad,
Age : 43 years, Occu. Household,
R/o Waghala, New Nanded,
Tq. and Dist. Nanded

..PETITIONER

VERSUS

The State of Maharashtra,
Through Sub Divisional Officer,
Nanded, Dist. Nanded

..RESPONDENT

Mr. C.R. Thorat, Advocate for petitioner;
Mr. A.S. Shinde, A.G.P. for respondent

**CORAM : R.D. DHANUKA
AND
S. G. MEHARE, JJ.**

DATE : 2nd May, 2022

ORAL JUDGMENT (Per R.D. Dhanuka, J.)

1. Rule. Learned A.G.P. waives service for the respondent – State.

Rule made returnable forthwith.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner has prayed for a Writ of Mandamus directing the respondent to issue tribe certificate in favour of the petitioner in

(2)

Format “C”, belonging to “Mannervarlu” Scheduled Tribe, as prescribed under Rule 4 (6) and Rule 5 (2) (a) and (b) of the Maharashtra Scheduled Tribe Certificate Rules, 2003 (for short “Rules of 2003”).

3. The petitioner has made application on 1.2.2022 to the Sub-Divisional Officer, Nanded, seeking tribe certificate in Format “C”, but it has not been issued. The tribe certificate dated 23.2.2011 is not in the format prescribed under Rule 4 (6) and Rule 5 (2) (a) and (b) of Rules of 2003. The Scrutiny Committee does not accept the proposal for verification on this ground. The petitioner, thus, seeks reliefs for an order or direction against the Sub-Divisional Officer, Nanded to issue the corrected tribe certificate in Format “C”.

4. In our view, the petitioner has made out a case for reliefs as prayed, for issuance of corrected tribe certificate in Format “C” as prescribed under the Rules of 2003.

5. We accordingly allow the petition in terms of prayer clause (A). The tribe certificate in favour of the petitioner in Format “C”, belonging to “Mannervarlu” Scheduled Tribe, as prescribed under the Rules of 2003, shall be issued by the respondent within two weeks

(3)

from today.

6. Rule is made absolute accordingly. No order as to costs.

(S. G. MEHARE, J.)

(R. D. DHANUKA, J.)

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