

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

WRIT PETITION NO. 2765 OF 2018

Mahendra Subhash Borse (Koli)
and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Mr. Pratap V. Jadhavar, Advocate for the Petitioners.
Mr. P. S. Patil, Addl. G. P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATED : 22nd FEBRUARY 2022.

PER COURT:-

. The application for issuance of tribe certificate is rejected. Appeal filed against the same is dismissed.

2. Mr. Jadhavar, learned counsel for the petitioners submits that the grandfather of the petitioners is issued with the tribe certificate of "Tokare Koli". The uncle of the petitioners is also issued with the tribe certificate of "Tokare Koli". The entry in the school record of father of the petitioners of the year 1996 is relied whereas, except one entry other entries in case of the petitioners uncle and grandfather records tribe as "Tokare Koli". The school record of the grandfather is of the year 1940 and the same records tribe as "Tokare Koli".

3. The learned Addl. G. P. submits that the committee has found the said entry to be suspicious as it appears that the same is in a different handwriting.

4. At the time of issuance of tribe certificate prima facie satisfaction is sufficient. The grandfather of the petitioners is issued with the tribe certificate. The real uncle of the petitioners is also issued with the tribe certificate. There are documents showing entries of "Tokare Koli". The genuineness of the same will also have to be considered at the time of granting validity.

5. Considering the aforesaid facts, the impugned order is set aside. The authority shall issue tribe certificate to the petitioners of "Tokare Koli" (Scheduled Tribe). Naturally, the said tribe certificate shall have to undergo the acid test while validating the same.

6. Writ petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.