

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

WRIT PETITION NO.10368 OF 2022

**MANISHA HANMANTRAO SURGLOD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Shri Dhakane Rajendra Babaji
AGP for the Respondents/State : Shri S.G. Karlekar
...

**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 17th October, 2022

Per Court :-

1. The petitioner has been denied the “Mahadev Koli-29”, Scheduled Tribe certificate.
2. The father of the petitioner carries “Mahadev Koli-29”, Scheduled Tribe certificate. Her one biological brother also carries “Mahadev Koli-29”, Scheduled Tribe certificate. There is no dispute with regard to these tribe certificates and there are no proceedings pending for recalling of these tribe certificates.
3. Considering the solemn statement made, as recorded in the foregoing paragraph, we are of the view that the Appellate

Authority needs to reconsider the case of the petitioner since she has been declared to be belonging to “Mannervarlu”, Scheduled Tribe category in the above backdrop.

4. In such circumstances, this Writ Petition is partly allowed.

5. The proceedings are remitted to respondent No.2. The petitioner would appear before respondent No.2 on 10.11.2022 at 12:00 noon. Leave to tender the written submissions. The petitioner would place before respondent No.2, the tribe certificates of her father and biological brother as well as close blood relatives from the paternal side, to substantiate her claim. Respondent No.2 shall consider the entire record and arrive at an appropriate decision, on or before 30.11.2022.

6. Needless to state, if the petitioner is held to be entitled, the certificate of “Mahadev Koli”, Scheduled Tribe, would be issued forthwith.

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(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)