

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4997 OF 2022

TRUSHA
TUSHAR
MOHITE

Digitally signed by
TRUSHA TUSHAR
MOHITE
Date: 2022.09.20
14:30:08 +0530

Laxman s/o. Maruti Koli & Ors.

..... Petitioners

Vs.

The State of Maharashtra and Ors.

..... Respondents

Mr. Deepak D. Choudhari for the Petitioner

Mr.S.B.Kalel, A.G.P. for the State

**CORAM: S.V.GANGAPURWALA &
R.N.LADDHA, JJ.**

DATED : SEPTEMBER 13, 2022

P.C.

1 Rule.

2 Rule made returnable forthwith. By consent of parties, Writ
Petition is heard finally.

3 The Petitioner filed Application for issuance of caste certificate
of Koli Mahadev Scheduled Tribe. SDO rejected the Application.
Petitioner filed Appeal. Appellate authority dismissed the appeal.

4 Mr.Choudhari the learned counsel submits that Petitioner had
produced school record of paternal aunt of the Petitioner namely
Girevva Bhimsha Koli wherein date of birth is 01.06.1942 and the

date of admission is of 1949 and the leaving certificate is of 1952. The said document is of pre-constitutional era. The real brother of the Petitioner nos.1 and 4 are also issued with the caste certificate of Schedule Tribe.

5 We have heard the learned A.G.P.

6 It is trite that while issuing caste certificate a long drawn enquiry is not contemplated. Prima facie, it appears that the real brother of Petitioner nos.1 and 4 are already issued with Caste Certificate of Schedule Tribe. Petitioner has produced the school record of paternal aunt of the Petitioner namely Girevva Bhimsha Koli wherein admission was taken in the year 1949. In the said record caste is recorded as Hindu Mahadeo Koli. Same is pre constitutional document. Said ought to have been considered.

7 In light of the above, impugned orders are quashed and set aside. Concerned SDO shall issue caste certificate of Petitioner of Koli within 15 days.

8 Writ Petition is disposed of. Rule is made absolute accordingly.

(R.N.LADDHA, J.)

(S.V. GANGAPURWALA, J.)