

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

WRIT PETITION NO.7948 OF 2022

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Anantkumar S/O Bandupant Ghaterao Petitioner

Vs.

The State of Maharashtra and Ors. Respondents

Mr. Deepak Pote i/b Mr.Omgashad B. Boinwad for the Petitioner

Ms.M.P.Thakur, A.G.P. for the State

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

DATED : SEPTEMBER 19, 2022

P.C.

1 The Petitioner was issued with the Caste Certificate of Koli Mahadeo Scheduled Tribe, Osmanabad. Same was referred to the Scrutiny Committee for validation. Scrutiny Committee cancelled the said certificate on the ground that the Sub Divisional Officer did not possess territorial jurisdiction to issue the said certificate. Pursuant to the judgment of the Scrutiny Committee, Petitioner applied to the Sub Divisional Officer, Mangalveda for the caste certificate. Same was rejected. The Petitioner filed an Appeal also. Same is dismissed. Aggrieved thereby the present Writ Petition.

2 We have heard the learned Counsel for the Petitioner and the learned A.G.P.

3 The Sub Divisional Officer at Osmanabad had already issued Caste Certificate to the Petitioner. Same was cancelled only on the ground that the same did not possess territorial jurisdiction.

4 It is trite that at the time of issuance of caste certificate prima facie satisfaction is sufficient. Long drawn enquiry is not contemplated.

5 It would also appear that the son and daughter of the Petitioner are issued with the caste certificate of Koli Mahadeo Schedule Tribe. Petitioner earlier was also issued with the caste certificate, however, by the authority, not possessing the territorial jurisdiction. Petitioner has relied upon the documents of the grandfather of the Petitioner relating to the caste as Koli Mahadev. The said document is of the year 2022.

6 Considering the fact that the Petitioner's son and daughter are both issued caste certificate and other documents placed on record, we set aside the judgment of the SDO and the Scrutiny Committee.

7 The concerned SDO shall issue caste certificate to the Petitioner of Koli Mahadev Schedule Tribe within 15 days. The said caste certificate shall certainly have to undergo acid test during its validation proceedings.

8 Rule accordingly made absolute.

9 The Writ Petition is disposed of. No costs.

(R.N.LADDHA, J.)

(S.V. GANGAPURWALA, J.)