

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9749 OF 2022

Rajaram s/o. Dhondi Koli	...	Petitioner
Versus		
The State of Maharashtra & Ors.	...	Respondents

Mr. Prafullasing H. Patil i/b. Ms. Vaishali B. Suryawanshi,
Advocate for the Petitioner.

Mr. S. B. Kalel, AGP for the Respondents/State.

**CORAM: S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : AUGUST 26, 2022

P.C.

1. Rule. Rule is returnable forthwith. By consent of the parties, taken up for final hearing.
2. The petitioner was issued with the caste certificate. The petitioner submitted the same for validation. The scrutiny Committee disposed of the validation proceedings on the ground that caste certificate is not issued with the proper nomenclature of the tribe. The liberty was given to the petitioner to get the proper certificate.
3. The petitioner thereafter applied to the Sub-Divisional Officer. The Sub-Divisional Officer rejected the application.
4. Upon perusal of the order on the application, it would appear that the said order is passed on altogether erroneous grounds. In fact, the Sub-Divisional Officer ought to have sought for the attested copy of the certificate with incorrect

nomenclature. We set aside the order of the Sub-Divisional officer and pass the following order :

ORDER

- i) The petitioner shall apply to the Scrutiny Committee for attested copy of the certificate issued with the incorrect nomenclature.
- ii) The Scrutiny Committee shall within seven days from the date of the application issue attested copy of the caste certificate produced by the petitioner.
- iii) The petitioner shall file on-line application with the Sub-Divisional Officer.
- iv) The petitioner shall also submit the attested copy of the caste certificate issued by the Committee with the incorrect nomenclature to the Sub-Divisional Officer.
- v) The Sub-Divisional Officer shall verify that the caste certificate was issued from his office and if is satisfied then shall issue a caste certificate to the petitioner with correct nomenclature of tribe within a period of fifteen days from the date the petitioner submits online application and the attested copy of the caste certificate with the incorrect nomenclature.
- vi) With the aforesaid observations and directions, the writ petition is disposed of. No costs.

(MADHAV J. JAMDAR, J.)

(S.V. GANGAPURWALA, J.)