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

WRIT PETITION NO. 11422 OF 2022

Sagar Suresh Koli & Ors.

..... Petitioners

Vs.

State of Maharashtra & Ors.

..... Respondents

Mr. C. K. Bhangoji for the Petitioners

Mrs. P.J.Gavhane, AGP for the State

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

DATED : SEPTEMBER 27, 2022

P.C.

1 Rule.

Rule is made returnable forthwith.

By consent of the parties, taken up for disposal.

2 The Application filed by the Petitioner for issuance of a caste certificate - Koli Mahadev, Scheduled Tribe is rejected.

3 The Petitioner filed an appeal before the Scrutiny Committee. The appeal was allowed directing the Sub Divisional Officer to verify the caste certificate issued to the real Uncle of the Petitioner Ramesh Mallappa Koli.

4 Pursuant to the judgment of the Scrutiny Committee, the Petitioner approached the Sub Divisional Officer. The Sub Divisional Officer rejected the Application of the Petitioner. The Petitioner again filed an appeal before the Scrutiny Committee. Same is rejected.

5 We have heard Mrs. P.J.Gavhane, learned AGP for the State.

6 The Scrutiny Committee had set aside the initial order of the Sub Divisional Officer and directed the Sub Divisional Officer to verify the caste certificate issued to the Uncle of the Petitioner and thereafter issue caste certificate to the Petitioner within 15 days. The Uncle of the Petitioner is issued with the caste certificate. In that view of the matter, the Sub Divisional Officer was duty bound to issue caste certificate to the Petitioner.

7 Moreover, father of the Petitioner, so also, grandfather of the Petitioner are issued with the caste certificate of Koli Mahadev Scheduled Tribe.

8 It is trite that at this stage, for issuance of caste certificate, *prima facie* satisfaction is sufficient. Even otherwise, a long drawn inquiry will have to be undertaken in the validation proceedings before the Committee.

9 Considering the above, the impugned orders passed by the Sub Divisional Officer and the Scrutiny Committee are quashed and set aside.

10 The Sub Divisional Officer shall issue caste certificate of Koli Mahadev Scheduled Tribe to the Petitioner within 15 days. The same certainly will have to undergo the acid test during its validation proceedings.

11 Rule is accordingly made absolute.

12 The Writ Petition is disposed of. No costs.

(R.N. LADDHA,J.)

(S.V. GANGAPURWALA, J.)