

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 773 OF 2022

1. Vidharbha Koli Anusuchit Sewa Sanstha, Akola,
through its President Shri Dr. Mahendra s/o Rambhau Kale,
aged 54 years, Occ. Doctor,
R/o Arvind Hospital, Near Lady Harding Hospital, Akola,
Tq. Dist. - Akola.
2. Sachin Kailashrao Kale,
aged major,
Occupation – Education.
3. Pankaj Janakrao Kale,
aged major,
Occupation – Education.
4. Pratik Kailashrao Kale,
aged major, Occupation – Education.

Petitioner Nos. 2 to 4 are R/o Nandrun,
Tah. Daryapur, District – Amravati.

PETITIONERS

.....VERSUS.....

State of Maharashtra
through its Sub-Divisional Officer,
Daryapur, Tah. Daryapur,
District – Amravati.

RESPONDENT

Shri M.V. Bute, Advocate for the petitioners.
Ms. S.S. Jachak, Assistant Government Pleader for the respondent/ State.

CORAM : A.S. CHANDURKAR AND ANIL L. PANSARE, JJ.

DATE : DECEMBER 13, 2022

ORAL JUDGMENT (PER : A.S. CHANDURKAR, J.)

RULE. Rule made returnable forthwith and heard the learned
Counsel for the parties.

2. Petitioner Nos. 2 to 4 seek issuance of caste certificates claiming that they belong to 'Koli Mahadev' Scheduled Tribe. It is the case of the said petitioners that they had submitted an application seeking issuance of such certificates on 18/3/2021. Despite that, the Sub-Divisional Officer failed to issue the caste certificates.

Being aggrieved by the aforesaid, the present Writ Petition has been filed.

3. In the reply filed on behalf of the Sub-Divisional Officer, Daryapur, it has been stated in para 7 as under :

"7. It is matter of record that, the present petitioners had submitted offline applications not in-prescribed format and without requisite documents and requisite affidavits for obtaining Caste Certificate as claimed that they are belonging to the 'Koli Mahadeo'. Therefore, the answering respondent is unable to issue Caste Certificate to the petitioners on the basis of their incomplete applications and without filing requisite documents and affidavits.

In view of this fact, it mandatory requirement to submit online application in prescribed format with requisite documents and affidavits for seeking Caste Certificate from the Competent Authority as per provisions of Caste Certificate Act."

4. In view of aforesaid, petitioner Nos. 2 to 4 are at liberty to submit online applications in the prescribed format along with necessary documents and affidavits to the Sub-Divisional Officer. On receiving such

online applications, the Sub-Divisional Officer shall within a period of eight weeks take necessary decision in the matter of issuance of caste certificates.

5. Rule is made absolute in the aforesaid terms. No costs.

(ANIL L. PANSARE, J.)

(A.S. CHANDURKAR, J.)

SUMIT