

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.5012 OF 2023

**OM RANJEET GHATE THROUGH ITS FATHER RANJEET
NARAYAN GHATE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Shri Rodge Krishna Pratap
AGP for the Respondents/State : Shri V.M. Kagne
...

**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 02nd May, 2023

Per Court :-

1. The Petitioner is aggrieved by the order of the Sub Divisional Officer dated 23.08.2022 and the order passed by the Committee dated 06.04.2023, refusing issuance of a “Koli Mahadev”, Scheduled Tribe certificate.

2. It is undisputed that the Petitioner’s father Ranjeet and his biological uncle Vikram have “Koli Mahadev”, Scheduled Tribe certificates. The Petitioner and his father are from the branch of Revappa Appa Ghate. Revappa’s biological brother is Malappa. The grandson of Malappa i.e. Tatyarao s/o

Shankar Ghate and granddaughter Surekha, have been granted the validity certificates by the Committee.

3. It is well settled that issuance of a caste or tribe certificate does not require a stringent inquiry as is normally required in cases of validity. It has to be assessed, prima facie, as to whether, the claimant has any certificate holder in the closest blood relatives/family tree from the paternal side so as to issue him a certificate.

4. In view of the above, **this Writ Petition is allowed.** The impugned orders are quashed and set aside. Respondent No.2/ Sub Divisional Officer shall issue a “Koli Mahadev”, Scheduled Tribe certificate to the Petitioner within 30 (thirty) days from today.

5. Needless to state, this order would not create any equities in favour of the Petitioner. This order would not be cited by any person in any pending validity proceedings. The Petitioner, on initiating proceedings for validation of his claim, would not rely upon the order of this Court by which he has secured the certificate.