

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

**WRIT PETITION NO. 7627 OF 2022**

1) Santosh Dnyaneshwar Kantewar,  
Age Minor, Occ. Student,  
Under Guardian of father  
Dnyaneshwar Nagnath Kantewar,  
Age 34 years, occ. Agriculture,  
R/o. Savarmal, Tq. Mukhed, Dist.  
Nanded.

2) Mahesh Gangadhar Kantewar,  
Age 19 years, Occ. Student,  
R/o. Savarmal, Tq. Mukhed, Dist.  
Nanded.

... **Petitioners**

**VERSUS**

1) The State of Maharashtra  
2) The Scheduled Tribe Certificate Scrutiny  
Committee Kinwat (Head Office Aurangabad)  
District Aurangabad.  
3) The Sub Divisional Officer, Degloor,  
Tq. Degloor, Dist. Nanded.

... **Respondents.**

...

Advocate for the Petitioners : Mr. Jadhavar Pratap V.  
A.G.P. for the Respondents/State : Mr. A.A. Jagatkar

**CORAM : MANGESH S. PATIL &  
SHAILESH P. BRAHME, JJ.**

**DATE : 18.07.2023**

**PER COURT :**

Heard both the sides.

2. The petitioners who are the real cousins are aggrieved by the order passed by the competent authority as well as the scrutiny committee in the appeal, whereby their request for issuance of tribe certificate as belonging to

‘Mannervarlu’ scheduled tribe has been turned down, ignoring the fact that the tribe certificates issued to the second degree cousin uncles were produced in support of their request.

3. The reasoning resorted to by the authority and the committee that these tribe certificates in favour of these two individuals Santosh Balaji Kantewar and Satish Balaji Kantewar cannot be relied upon since they are still to be validated is clearly in derogation of the settled principles which require only a *prima facie* material to be looked into when a request for issuance of caste certificate is made.

3. The Writ Petition is allowed. The impugned orders are quashed and set aside. The respondent No.3-competent authority shall issue tribe certificates to the petitioners as belonging to ‘Mannervarlu’ scheduled tribe in prescribed format within two weeks.

( SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-