

PER COURT :

Heard both the sides.

2. Yet again an innocuous prayer for issuance of tribe certificates as belonging to “Mannervarlu” scheduled tribe has been rejected by the respondent - competent authority and even the scrutiny committee has dismissed the appeals in spite of apparently at least a caste certificate issued in favour of the cousin Shrikant Ganpatrao Jakkewad was produced. In fact the learned advocate for the petitioners submits that the caste certificates issued to the father, grandfather and real sister were produced before the scrutiny committee.

3. It appears that the competent authority is incompetent so is the committee. Repeated instructions and observations of this Court have fallen to their deaf ears. Time and again this Court has been observing that the scope of the inquiry at the stage of issuance of caste and tribe certificate is limited. In spite of this, the authorities proceed to scrutinize the request as if the validity is being sought. They must be aware that any certificate issued would be valid subject to the subsequent decision by the scrutiny committee at an appropriate stage. When there are tribe certificates issued by the same competent authority to several of the blood relations from the paternal side, we find no justification for singling out the petitioners.

4. We allow the writ petitions, quash and set aside both the orders and direct the respondent No.3 - competent authority to issue tribe certificate to the petitioners of “Mannervarlu” scheduled tribe within two weeks.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)