

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

925 WRIT PETITION NO.10426 OF 2023

PRANAV RAVINDRA SURYAWANSHI MINOR THROUGH GUARDIAN
RAVINDRA CHAVDAS SURYAWANSHI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Petitioners : Mr. Choudhari Deepak D.
Addl. GP for Respondents : Mr. S.B. Yawalkar

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**
DATE : 22 AUGUST 2023

PER COURT :

Heard both the sides.

2. The petitioners are before us, perhaps being members of the same family having different grievances.

3. The petitioner no. 3 Isha and petitioner no. 8 Sunanda are already possessing tribe certificate of 'Tokre Koli'. However, the certificates were not issued in the prescribed format. They submitted applications with the respondent no. 2 for issuance of certificate in the corrected format.

4. The other petitioners have been seeking tribe certificates. However, their applications have been rejected by the respondent nos. 2 – Competent Authority.

5. It appears that in all the matters of the petitioners same orders in verbatim have been passed, perhaps over looking the fact that

petitioner Isha and Sunanda were merely seeking the certificate in the prescribed format. It is the document issued by respondent no. 2 and no fault can be found with these two petitioners. They are merely seeking the certificates in the prescribed Form C. The Competent Authority has lightly rejected the request and surprisingly for the reason that documents were not furnished to substantiate the claim. If the original tribe certificates are produced before the competent authority which are not in the prescribed form, nothing further was sought to be established to substantiate the request to have those certificates in the prescribed form. The order is clearly illegal. We direct the respondent no. 2 to issue tribe certificates to petitioner nos. 3 – Isha Ravindra Suryawanshi and petitioner no. 8 – Sunanda Chavdas Suryawanshi, in prescribed Form C within one week.

5. So far as the other petitioners are concerned, the petition is dismissed in view of availability of remedy to prefer an appeal before the Scrutiny Committee under the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes, (Vimukta Jatis) Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of issuance and verification of) Caste Certificate Act, 2000.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]