



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO. 15348 OF 2023

Pornima Suresh Ghante

VERSUS

The State Of Maharashtra Through Its Secretary And Another

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Advocate for Petitioner : Mr. U. P. Giri h/f Mr. Omgashad B. Boinwad
AGP for Respondents: Mr. S. V. Hange

...

CORAM : MANGESH S. PATIL
AND
NEERAJ P. DHOTE, JJ.

DATE : 14.12.2023

PER COURT :

1. Heard learned advocate for the Petitioner and the learned AGP.
2. The Petitioner who already possesses tribe certificate dated 14.01.2011 issued by the Respondent No.2-Competent Authority but it being not in Form 'C', she submitted an application online with the office of the Respondent No. 2 on 07.11.2023. We see no reason why once the petitioner possesses the tribe certificate issued by the Competent Authority in incorrect form contrary to the Rules prescribed in Form "C", the request cannot be considered. It is not a matter of seeking tribe certificate for the first time.
3. Though the petitioner has annexed a screenshot [Exh. 'D'] of her mobile phone *prima facie* indicating that her application has been rejected, we see no reason for taking cognizance of this fact. Even if the respondent no. 2 – Competent Authority has rejected the Petitioner's application, he is duty bound to issue a certificate in the prescribed Form 'C'. There is no question of any adjudication.

4. The Writ Petition is allowed. The Respondent No. 2 shall issue tribe certificate to the Petitioner in Form 'C' as expeditiously as possible and in any case within a week.

[NEERAJ P. DHOTE]
JUDGE

[MANGESH S. PATIL]
JUDGE

SG Punde