



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

WRIT PETITION NO. 3466 OF 2024

SHAHAJI BAPU JAMADAR AND OTHERS

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

AND

WRIT PETITION NO. 3545 OF 2024

**PIYUSH DIGAMBAR GHATRAO UNDER GUARDIAN OF RAL
SISTER MEGHA DIGAMBAR GHATRAO AND OTHERS**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

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Mr. Pratap V. Jadhavar, Advocate for the Petitioners.

Mr. K. S. Patil and Mr. S. K. Shirse, AGP for Respondents-State.

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**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.**

DATED : 03rd APRIL, 2024.

P.C.

1. Both these petitions have been filed for issuing direction to respondent no.3 to issue tribe certificate in favour of the petitioners as per order dated 25.01.2024 passed by respondent no.2 in Appeals filed by the petitioners.

2. The learned A.G.P. waives notice for all the respondents.

3. Heard.

4. It can be seen that respondent no.3 had refused to issue tribe certificate in favour of the petitioners and, therefore, the petitioners had approached respondent no.2 in Appeals. The said Appeals came to be allowed on 25.01.2024 and respondent no.3 was directed to issue tribe certificate. After the decision in the Appeals, it appears that the petitioners have filed their claims online on 27.01.2024 and 26.02.2024 respectively and paid necessary fees. However, till today certificate has not been issued. Hence, the petitions.

5. In fact when the Appeals came to be allowed, respondent no.3 ought to have issued certificate. We have seen the operative order passed by respondent no.2-Committee. There are no clear instructions or direction to respondent no.3 that he should issue such certificate, but such observation is made in the body of judgment. The respondent no.3 ought to have considered the judgment in its entirety. In view of the fact that inspite of decision in Appeals, respondent no.3 has not taken steps, this Court is required to interfere.

6. Both these petitions stand allowed in terms of prayer Clause (B). Such certificate be issued within a period of 15 days from today.

(S. G. CHAPALGAONKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE