



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

WRIT PETITION NO. 1445 OF 2025

DHANANAJAY BALAJI RUDRE AND OTHERS

VERSUS

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

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Shri Phatale Sagar S., Advocate for the Petitioners.

Ms. V.N. Patil Jadhav, AGP for Respondent Nos.1 to 3/State.

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CORAM : MANGESH S. PATIL

&

PRAFULLA S. KHUBALKAR, JJ.

DATE : 30th January, 2025

Per Court :-

The petitioners have been refused tribe certificates and even their statutory appeal has been dismissed.

2. We have heard both the sides.

3. The competent authority seems to be incompetent.

We are embolden to say so by taking exception to the observations in the order passed by her to the effect that even while entertaining the request for issuance of a caste certificate, the certificates of validity need not be followed as the certificates of validity are issued without undertaking threadbare scrutiny

and merely on the basis of perfunctory material. We strongly deprecate such conduct and approach of the competent authority.

4. Though respondent No.3 Scrutiny Committee in the order under challenge has refused to give weightage to the certificates of validity on the ground of disparity in the genealogies furnished by the validity holders and one furnished by the petitioners, it has not expressly denied that as per the description, the validity holder is the second degree cousin of the petitioners.

5. Besides, this Court has repeatedly directed that only *prima facie* satisfaction of the competent authority would be required for entertaining the application for issuance of caste/tribe certificates. Apart from the certificates of validity of the second degree cousins, the impugned order passed by the competent authority refers to several other documents wherein, individuals have been described as 'Koli Mahadev' or 'Mahadev Koli'. Even the order of the Scrutiny Committee considers some of those, but simply overlooks those entries.

6. The Writ Petition is allowed. The impugned orders are quashed and set aside. Respondent No.2 Competent

Authority shall pass a fresh order and issue tribe certificates to the petitioners of 'Koli Mahadev', as expeditiously as possible and in any case within three weeks.

kps

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)