

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12743 OF 2023**

Laxman Shankar Bogade and Anr.Petitioners

Versus

The State of Maharashtra & Ors.Respondents

Mr. Manish Kelkar for the Petitioners.

Mr. V.M. Mali, AGP for Respondent Nos.1 to 3.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 20th FEBRUARY, 2025

P.C. :-

1. This is yet one more case wherein these two Petitioners, who are siblings, are refused Koli Mahadev Scheduled Tribe certificate on two grounds. Firstly, that there was no document indicating anybody from the paternal side having a certificate of Koli Mahadev and secondly, that nobody in the family has a certificate of Koli Mahadev.

2. The Petitioners' father's Scheduled Tribe certificate was before the SDO. Along with the said certificate, the old school certificate dated 10th July, 1946 pertaining to a paternal aunt (second cousin), was placed before the Committee, since a copy was

obtained on 9th November, 2022.

3. We find that the pre-constitutional entry document is pertaining to Kumari Sundara Bandu Koli, who is said to be the paternal aunt (चुलत आत्या) of the Petitioners and was obtained from the School Shaha Tuljaram Nagardas Kanya Vidyamandir at Nandani, Taluka Shirol, District Kolhapur, on 9th November, 2022. Therefore, we are not imposing costs on the Committee and the SDO.

4. Ends of justice would be met by quashing the impugned order passed by the Committee and by remitting the matter back to the Committee for carrying out an inquiry as regards the authenticity of the certificate issued on 9th November, 2022 from the original records of the School. If such certificate is available, keeping in view that the father of the Petitioners has a Scheduled Tribe certificate, the Committee would pass an appropriate order for grant of certificate.

5. In view of the above, **this Petition is partly allowed.**

6. The impugned order dated 31st January, 2023 passed by Respondent No.2 Committee is quashed and set aside. The proceedings are remitted to the said Committee. For easy correspondence, the Petitioners tender their individual email addresses and the Committee would enter into correspondence with them on the said email addresses. The email addresses of the Petitioners are as under :

Petitioner No.1 (Laxman Shankar Bogade) -
bogadeajay904@gmail.com

Petitioner No.2 (Ramchandra Shankar Bogade) -
ramkoli9144@gmail.com

7. As directed above, the Committee would verify all the documents pertaining to these two Petitioners and if convinced, pass an appropriate order granting the certificate. The fact that the father of these Petitioners has a Scheduled Tribe certificate, would also be a piece of evidence to be relied upon. Let this exercise be completed preferably within 30 days from today.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)