

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

WRIT PETITION NO. 3293 OF 2002

**BHUMANNA RAMANNA BUNNOD
VERSUS
THE STATE OF MAH. & ORS.**

**Advocate for Petitioner : Mr.M.A.Golegaonkar h/f A S Golegaonkar
AGP for Respondents: Mrs.R.P.Gaur**

**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL,JJ.**

DATE : 15/09/2017

PER COURT :-

The tribe claim of the petitioner as Koli Mahadeo (Scheduled Tribe) was referred to the Committee for verification. The tribe certificate is invalidated by the Committee, aggrieved thereby, the present Petition.

2] Mr.M.A.Golegaonkar, learned counsel for the petitioner submits that the Committee failed to consider the documents on record. The petitioner before the vigilance cell also had proved the affinity and ethnic linkage to the Koli Mahadeo (S.T.). According to the learned counsel, the Committee did not appreciate the evidence and the affinity test in its correct perspective. It is not necessary that only because Pre-1950 documents are not available, the tribe cannot be proved.

3] We have heard learned AGP.

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4] On perusal of the order of the Committee, it is manifest that the school record of the petitioner records the caste as Koli. Apart from the said document, there are no other documents on record even remotely establishing the tribe of the petitioner as Koli Mahadev. It has also been observed that the petitioner could not prove the affinity, ethnic linkage of the Koli Mahadeo (S.T.)

5] In absence of any documents, substantiating the tribe of the petitioner of Koli Mahadeo (S.T.) so also the petitioner was not in a position to prove the affinity and ethnic linkage of Koli Mahadeo (S.T.), the committee has not committed any error in passing the impugned order. The Writ Petition is dismissed. Rule discharged. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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