

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH

WRIT PETITION NO. 6508 OF 2018

Ku. Gayatri d/o Dipak Ghodmare,
aged about 20 years, occupation -
Student, r/o Plot No. 793, Waman
Smuti, Hawa Palace Opposite,
Shrinath Road, Shanti Nagar,
Nagpur 440 002.

... PETITIONER

Versus

1. The Schedule Tribe Caste
Certificate Scrutiny Committee,
through its Member Secretary,
Adiwasi Bhawan, Giripeth,
Nagpur.
2. State Common Entrance Test
Cell State CET Cell, the
Commissioner, 8th Floor, New
Excelsior Building, A.K. Nayak
Marg, Fort, Mumbai 400 001
(M.S.).
3. State of Maharashtra
through its Principal Secretary,
Department of Higher and
Technical Education, Mantralaya
Extension, Madam Cama Road,
Mumbai 400 032.
4. State of Maharashtra,
through its Principal Secretary,
Tribal Development Department,
Mantralaya Extension, Madam
Cama Road, Mumbai 400 032.
5. The Principal,
Priyadarshni Bhagwati College
of Engineering, Harpur Nagar,
Umred Road, Nagpur.

... RESPONDENTS

Shri Ashwin Deshpande, Advocate for the petitioner.
Shri M.A. Barabde, AGP for respondent Nos. 1, 3 & 4.

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**CORAM : SUNIL B. SHUKRE &
S.M. MODAK, JJ.
FEBRUARY 27, 2019.**

ORAL JUDGMENT : (PER SUNIL B. SHUKRE, J.)

Rule. Rule is made returnable forthwith and heard finally with the consent of Shri Ashwin Deshpande, learned counsel for the petitioner and Mrs. M.A. Barabde, learned AGP for respondent Nos. 1, 3 & 4.

2. The learned counsel for the petitioner submits that this case is squarely covered by the view taken by this Court in many of its judgments rendered previously and also the judgment dated 08.01.2019 rendered recently in Writ Petition No. 6137 of 2018 (Ku. Asha d/o Tarachand Nannaware vs. The Schedule Tribe Caste Certificate Scrutiny Committee, Gadchiroli).

3. On considering the documents placed on record, we find substance in the petition. There are two validities granted to the paternal uncles of the petitioner by the Scrutiny Committee, Nagpur. These validities are at page Nos. 109 and

110 and disclose that Prakash Anantrao Ghodmare and Purushottam Anantrao Ghodmare have been granted validity Certificate by the Scrutiny Committee, as they belonging to Mana, Scheduled Tribe. The relationship of these two persons with the petitioner is not in dispute and so also the grant of validity certificates to them.

4. In view of this, we are inclined to allow this writ petition and it is accordingly allowed. Respondent No. 1 – Scrutiny Committee is directed to issue validity certificate to the petitioner as she belonging to Mana, Scheduled Tribe, at the earliest, preferably within one month from the date of receipt of order by the Scrutiny Committee.

5. Writ Petition is disposed of accordingly. Rule is made absolute in above terms. However, there shall be no order as to costs.

JUDGE

JUDGE

*GS.