



IN THE HIGH COURT OF JUDICATURE AT BOMBAY NAGPUR BENCH

WRIT PETITION NO. 6385 OF 2018

Ravikumar s/o Dakram Chauke, aged about 28 years, occupation – Service, r/o Tudmapuri, Post -Satalwada, Tahsil – Sakoli, District – Bhandara.

... PETITIONER

Versus

- 1. The Vice-Chairman/ Member Secretary, Scheduled Tribe Caste Scrutiny Committee, Adiwasi Vikas Bhavan, Giripeth, Nagpur.
- 2. The Executive Engineer,
 Maharashtra State Electricity
 Distribution Co. Ltd. (MSEDCL),
 office at 2nd Floor, Administrative
 Building, Arni Road, Yavatmal
 Division, Yavatmal 445 001.

... RESPONDENTS

Ms. P.D. Rane, Advocate for the petitioner. Mrs. K.R. Deshpande, AGP for respondent No. 1. Shri A.D. Mohgaonkar, Advocate for respondent No. 2.

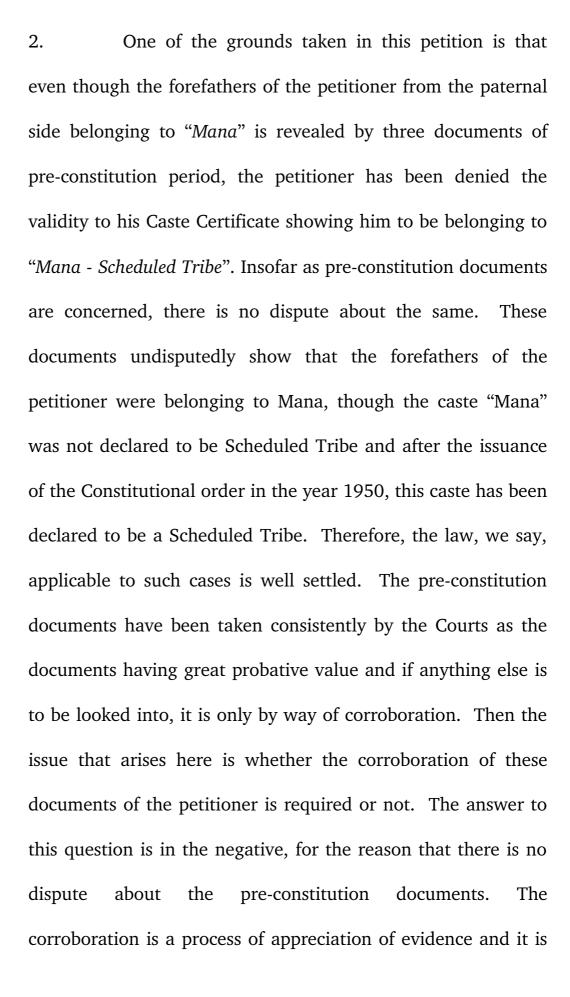
CORAM: SUNIL B. SHUKRE & S.M. MODAK, JJ. FEBRUARY 04, 2019.

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

Rule. Rule is made returnable forthwith and heard finally with the consent of learned counsel for the respective parties.

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necessitated only if there is a doubt about the reliability with the main proof. Such doubt being not there in present case, we find that the respondent – Committee has committed a serious error of law in invalidating the caste certificate of the petitioner.

- 3. In view of the above, we find that this petition deserves to be allowed and the same is allowed accordingly. Respondent Committee is directed to issue validity to the claim of the petitioner as belonging to "Mana Scheduled Tribe" within a period of four weeks from the date of this order and validity that would be granted by the respondent shall take effect from the date on which previously the claim was invalidated, that is from 30.08.2018. The impugned order dated 30.08.2018 is accordingly quashed and set aside.
- 4. Writ Petition is disposed of accordingly. Rule is made absolute in above terms. However, there shall be no order as to costs.

Certified copy expedited.

JUDGE JUDGE

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