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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1120 OF 2018

(Juilee d/o Gangadhar Jambhule vs. The Chairman/ Member Secretary, The Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli & Ors.) WITH

WRIT PETITION NO. 1121 OF 2018

(Sailee d/o Gangadhar Jambhule vs. The Chairman/ Member Secretary, The Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli & Ors.) AND

WRIT PETITION NO. 1122 OF 2018

(Mansi d/o Virendra Jambhule vs. The Chairman/ Member Secretary, The Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
M.G. GIRATKAR, JJ.
SEPTEMBER 07, 2018.**

Heard Ms. P.D. Rane, learned counsel for the petitioners, Shri S.P. Deshpande, learned Additional GP for respondent Nos. 1 & 2 and Shri J.B. Jaiswal, learned counsel for respondent No. 3 (in W.P. Nos. 1120 & 1121 of 2018) and Additional GP for respondent No. 1 and Shri P.B. Patil, learned counsel for respondent No. 3 (in W.P. No. 1122 of 2018).

2. The petitioners in Writ Petition Nos. 1120 of 2018 and 1121 of 2018 are real sisters while the petitioner Mansi in Writ Petition No. 1122 of 2018 is their cousin. The common order passed by Scrutiny Committee at Gadchiroli, invalidating caste claim on 30.01.2018 is questioned by them in these three writ petitions.

3. After hearing respective counsel, we find that the Scrutiny Committee could not notice any document in

which any other caste has been recorded or then any other word has been placed in column against 'caste'. The documents are of pre-constitution period and none of them are found tampered with or interpolated. The petitioners also rely upon the validities given in the family.

4. In this situation, the controversy is covered by the judgment delivered on 30.08.2018 by this Bench in Writ Petition No. 5171 of 2018 (*Mrunali d/o Shamrao Wakade vs. The Vice-Chairman/ Member Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli & Ors.*) and other connected matters. There similar orders of very same Scrutiny Committee are quashed and set aside. Hence, adopting the reasons recorded in said judgment, we quash and set aside the impugned order dated 30.01.2018 and direct the Scrutiny Committee to issue validity to the petitioners as '*Mana – Scheduled Tribe*' candidates.

5. Writ Petitions are disposed of. Rule is made absolute accordingly. However, there shall be no order as to costs.

JUDGE

*GS.

JUDGE