



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

WRIT PETITION NO. 5536 OF 2018

(Vaishnavi d/o Govinda Nannaware thr. Natural Guardian father Shri Govinda s/o Sukaji Nannaware vs. The Vice-Chairman/ Member Secretary, 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 03, 2018.**

Heard Ms. P.D. Rane with Shri Haq, learned counsel for the petitioner, Shri P.S. Tembhare, learned AGP for respondent No. 1 and Shri N.S. Khubalkar, learned counsel for respondent No. 5.

2. Ms. Rane, learned counsel submits that she attempted to complete service on panel Advocate Shri Badhe, for respondent No. 4 but in view of contrary instructions given by respondent No. 4, Shri Badhe, learned counsel could not appear.

3. The learned counsel for the petitioner and learned counsel for respondent No. 5 submit that similar controversy is already looked into by this Court and, therefore, respondent Nos. 2, 3 & 4 need not be heard in this matter.

4. After hearing the respective counsel, we find that

the petitioner has relied upon old documents in which caste has been recorded as '*Mana*' consistently. There are no documents in which some other caste has been recorded or then some other word appears as caste. The father of the petitioner – Govinda has been given validity on 07.08.2007 and uncle of the petitioner is also given validity on 31.01.2008.

5. The identical order passed by the very same Committee forms subject matter of Writ Petition No. 5171 of 2018 and other connected matters. Writ Petition has been decided on 30.08.2018 after hearing present counsel for the petitioner, respondent No. 5 as also the learned AGP. The arguments being advanced are identical.

6. Hence, for the reasons recorded by us in the judgment dated 30.08.2018, we quash and set aside the impugned order dated 20.08.2018 at Annexure - 13 and direct respondent No. 1 – Committee to forthwith issue validity to the petitioner.

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

JUDGE

JUDGE

*GS.