

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH

WRIT PETITION NO. 4752 OF 2018

Ku. Rashmi d/o. Suresh Dadmal,
Aged about 21 years, Occ. Student,
R/o. Shivkalash Sankul, Postal Colony,
Near Mobil Tower, Malkapur,
District Akola

... PETITIONER

Versus

- 1 State of Maharashtra,
Tribal Development Department,
Through it's Principal Secretary,
Mantralay Extension, Madam Kama
Road, Mumbai – 32
- 2 The Schedule Tribe Caste
Certificate Scrutiny Committee,
through its Member Secretary,
Zilla Parishad Complex Area,
Gadchiroli
- 3 Tribal Development Commissionerate,
through its Commissioner; Adiwasi
Vikas Bhavan, First Floor, Old Area Road,
Nashik – 422 002
- 4 Directorate of Medical Education
and Research, through its Director
(Education), Govt. Dental College &
Hospital Compound, Near V.T.
Mumbai 01
- 5 Maharashtra University of Health
Sciences, Nashik, through its
Registrar, Dindori Road, Mhasrul,
Nashik – 422004

6 The Dean,
Government Dental College &
Hospital, Nagpur

... RESPONDENTS

Shri Ashwin Deshpande, counsel for the petitioner.
Shri S.M. Ghodeswar, AGP for respondents 1 to 4 & 6.

CORAM : B.R.Gavai &
ROHIT B. DEO, JJ.

SEPTEMBER 25, 2018

ORAL JUDGMENT : (PER B.R. Gavai, J.)

Rule. Rule made returnable forthwith. Heard finally
with the consent of the learned counsel for the parties.

2 Petitioner has approached this Court being aggrieved
by order dated 26.6.2018 thereby rejected the claim of the
petitioner of belonging to 'Mana' Scheduled Tribe.

3 Division Bench of this Court in ***Writ Petition No. 4099
of 2018 decided on 3.8.2018*** considered a claim of the petitioner's
real sister Ku. Tejaswini d/o. Suresh Dadmal. Division Bench of this
Court held that Ku. Tejaswini belonged to Mana Scheduled Tribe.
In view of the law laid down by the Division Bench in the case of
***Apoorva Vinay Nichale ..vs..Divisional Caste Certificate Scrutiny
Committee No. 1 & Others***, reported in ***2010(6)Mh. L.J.401***,

present petition also deserves to be allowed.

4 Impugned order is quashed and set aside. Petitioner is held and declared to be belonging to Mana - Scheduled Tribe.

5 Respondent No. 2 - Scrutiny Committee is directed to immediately issue caste validity in favour of petitioner.

6 Rule made absolute in the aforesaid term.

JUDGE

JUDGE

Belkhede