

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

WRIT PETITION NO. 3906/2018.

Sachin Lahuji Wakade -**VERSUS-** State of Maharashtra and others.

WRIT PETITION NO. 3907/2018.

Pranali Wamandrao Nannaware -**VERSUS-** State of Maharashtra and others.

WRIT PETITION NO. 3908/2018.

Hemant madhav Nannaware -**VERSUS-** State of Maharashtra and others.

WRIT PETITION NO. 1806/2018.

Pushpa Motiram Chaukhe -**VERSUS-** The Chairman/Member Secretary and others.

WRIT PETITION NO. 4600/2018.

Balkrushna Dinkar Sonwane -**VERSUS-** The Scheduled Tribe Caste and others.

WRIT PETITION NO. 4601/2018.

Sunil Parshuram Bagade -**VERSUS-** The Scheduled Tribe Caste and others

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.

DATE : OCTOBER 05, 2018.

Heard Shri P.P. Dhok, Shri A. Deshpande and Ms. P. Rane, learned counsel for petitioners, Ms. K.R. Deshpande, learned A.G.P. for the respondents-State and Scrutiny Committee and Shri S.A. Marathe and Shri Anil Kumar, learned counsel for private respondents.

2. In all the orders passed by the Scrutiny Committee, invalidating the caste claim of petitioners as Mana, Scheduled Tribe, only reason recoded is existence of 'Mana Kunbi, Mane Kunbi' and the

2

availability of surnames on which petitioners have placed reliance in those communities.

3. In case of petitioners, no document in which caste is recorded as either 'Mana Kunbi or Mane Kunbi' has been discovered.

4. Identical orders passed by the very same Committee at Gadchiroli are looked into by this Court in Writ Petition No. 5171/2018 and connected matters on 13.08.2018.

5. This Bench then has noticed that the caste recorded as Mane, Mani, Mana Kunbi, Mane Kunbi or Kunbi and found in paragraph no.13 of that judgment & that the Committee could not observe that any such caste independently existed.

6. In present matters, also said finding holds good. Accordingly, we quash and set aside the impugned orders dated 25.04.2018, 13.04.2018, 26.03.2018, 12.07.2018, 06.07.2018 respectively in above petitions.

7. Because of reasons recorded in judgment delivered by this Bench [supra], we direct the respondent Scrutiny Committee to give validity to respective petitioners forthwith.

8. Writ Petitions are accordingly allowed and disposed of. No cost.

JUDGE

JUDGE

Rgd.