



Judgment

wp4865.18

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

WRIT PETITION Nos. 4865, 4867, 4868, 4870, 4872, 5085,
5079, 5081 & 5084 OF 2018.

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WRIT PETITION NO. 4865/2018.

Gunjan son of Shyamsunder Mane,
Aged about 18 years, Occ – Student,
resident c/o. Dr. S.B. Mane, Nisarg
Empire, 101, Wing “B” Datta Colony,
Khandelwal Nagar, Gorakshan Road,
Akola, District Akola.

...

PETITIONER.

VERSUS

1. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Gadchiroli.
2. The Principal,
P.I.C.T. (Pune Institute of Computer
Technology), Dhanakwadi,
Pune.
3. The Vice-Chancellor/Registrar,
Savitribai Fule Pune University
Pune.
4. The State Common Entrance Test

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Cell, Maharashtra State, Mumbai. ... **RESPONDENTS.**

Ms. P. Rane, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.
Shri N.H. Khubalkar, Advocate for State Entrance Common Test.

WITH

WRIT PETITION NO. 4867/2018.

Sujata d/o Sudhakar Wagh,
Aged about 17 years, Occ – Student,
Through Natural Guardian Father
Shri Sudhakar s/o Sadashiv Wagh,
Aged about 44 years, Occ – Service,
resident of at post Bhisli, Tah. Chimur,
District Chandrapur. ... **PETITIONER.**

VERSUS

1. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Gadchiroli.
2. The Principal,
Government College of Engineering,
Chandrapur.
3. The Vice-Chancellor/Registrar,
Gondwana University,
Gadchiroli.
4. The State Common Entrance Test

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Cell, Maharashtra State, Mumbai. ... **RESPONDENTS.**

Ms. P. Rane, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.
Shri S.A. Marathe, Advocate for Respondent University.
Shri N. Khubalkar, Advocate for State Entrance Common Test.

WITH

WRIT PETITION NO. 4868/2018.

Netradipak s/o Sudhakar Dodke,
Aged about 17 years, Occ – Student,
Through Natural Guardian Father
Shri Sudhakar s/o Tulshiram Dodke,
Aged about 50 years, Occ – Service,
resident of Shastri Nagar, near Ambedkar
High School, Armori,
District Gadchiroli 441208. ... **PETITIONER.**

VERSUS

1. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Gadchiroli.
2. The Principal,
Annasaheb Dange College of
Engineering and Technology,
Ashta, Sangli.
3. The Vice-Chancellor/Registrar,
Shivaji University,

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Vidya Nagar, Kolhapur.

4. The State Common Entrance Test
Cell, Maharashtra State, Mumbai. ... **RESPONDENTS.**

Ms. P. Rane, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.
Shri N. Khubalkar, Advocate for State Entrance Common Test.

WITH

WRIT PETITION NO. 4870/2018.

Mayur s/o Pundlik Rajanhire,
Aged about 19 years, Occ – Student,
resident of Qtr. No. E/73/3, CTPS
Urja Nagar, Chandrapur,
District Chandrapur. ... **PETITIONER.**

VERSUS

1. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Adivasi Vikas
Bhavan, Giripeth, Nagpur.
2. The Principal,
Government College of Engineering,
Chandrapur.
3. The Vice-Chancellor/Registrar,
Gondwana University,
Gadchiroli.

4. The State Common Entrance Test
Cell, Maharashtra State, Mumbai. ... **RESPONDENTS.**

Ms. P. Rane, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.
Shri S.A. Marathe, Advocate for Respondent University.
Shri N. Khubalkar, Advocate for State Entrance Common Test.

WITH

WRIT PETITION NO. 4872/2018.

Aniket s/o Pundlik Nannaware,
Aged about 18 years, Occ – Student,
resident of Sant Tukadoji Ward, Nandori
Road, in front of Sai Mandir,
Hinganghat, Tah. Hinganghat,
District Wardha. ... **PETITIONER.**

VERSUS

1. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Adiwasi Vikas Bhavan
Gripeth, Nagpur.
2. The Principal,
Shri Guru Gobind Singhji College of Engineering
and Technology.
Nanded.
3. The Vice-Chancellor/Registrar,
Swami Ramanand Tirth Marathwada University,

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Nanded.

4. The State Common Entrance Test
Cell, Maharashtra State, Mumbai. ... **RESPONDENTS.**

Ms. P. Rane, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.
Shri N. Khubalkar, Advocate for State Entrance Common Test.

WITH

WRIT PETITION NO. 5085/2018.

Shrawani d/o Sanjay Dandekar,
Aged about 17 years, Occ – Student,
Through Natural Guardian Father
Shri Sanjay s/o Gaanpat Dandekar,
Aged about 59 years, Occ – Service,
resident of Satnam Layout, Katol,
District Nagpur. ... **PETITIONER.**

VERSUS

1. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Adiwasi Vikas
Bhavan, Nagpur.
2. The Principal,
Govindrao Wanjari College
of Engineering and Technology,
Nagpur, Hudkeshwar Road,
Nagpur 440024.

3. The Vice-Chancellor/Registrar,
Rashtrasant Tukadoji Maharaj
Nagpur University,
4. The State Common Entrance Test
Cell, Maharashtra State, Mumbai. ... **RESPONDENTS.**

Ms. P. Rane, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.
Shri P.B. Patil, Advocate for Respondent University.
Shri N. Khubalkar, Advocate for State Entrance Common Test.

WITH

WRIT PETITION NO. 5079/2018.

Ninad s/o Gurudeo Dadmal,
Aged about 18 years, Occ – Student,
resident of Plot No. 145/B,
Dubey Nagar, Hudkeshwar Road,
Nagpur. ... **PETITIONER.**

VERSUS

1. The Scheduled Tribe Caste Certificate
Scrutiny Committee, Adiwasi Vikas
Bhavan, Giripeth, Nagpur through
its Member Secretary and Deputy
Director, Nagpur.
2. The State of Maharashtra
through its Secretary, Tribal
Development Department,
Mantralaya, Mumbai.

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3. The Principal,
Visvesvaraya National Institute of
Technology, Nagpur-10. ... **RESPONDENTS.**

Shri A. Deshpande, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.

WITH

WRIT PETITION NO. 5081/2018.

Amit s/o Baban Kuttarmare,
Aged about 17 years, Occ – Student,
through Natural Guardian Father
Shri Baban s/o Uddhav Kuttarmare,
Aged about 49 years, Occ- Service,
resident of Urja Nagar, Chandrapur. ... **PETITIONER.**

VERSUS

1. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Gadchiroli
2. The Principal,
Tulshiramji Gaikwad Patil College
of Engineering and Technology,
Nagpur.
3. The Vice-Chancellor/Registrar,
Rashtrasant Tukadoji Maharaj
Nagpur University.

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4. The State Common Entrance Test Cell
Maharashtra State,
Mumbai.

... **RESPONDENTS.**

Ms. P. Rane, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.
Shri A. De, Advocate for Respondent College.
Shri P.B.Patil, Advocate for Respondent University.
Shri N. Khubalkar, Advocate for respondent Entrance Test Cell.

WITH

WRIT PETITION NO. 5084/2018.

Himanshu s/o Digambar Randive,
Aged about 18 years, Occ – Student,
resident of Railway Qtr. No.B2/51(B)
Railway Colony, Ballarshah,
Chandrapur.

... **PETITIONER.**

VERSUS

1. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Adiwasi Vikas Bhavan
Giripeth, Nagpur.
2. The Principal,
Rajiv Gandhi College of
Engineering, Research and Technology,
Chandrapur.
3. The Vice-Chancellor/Registrar,
Rashtrasant Tukadoji Maharaj

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Nagpur University.

4. The State Common Entrance Test Cell
Maharashtra State,
Mumbai.

... **RESPONDENTS.**

Ms. P. Rane, Advocate for the Petitioner.
Shri S.M. Ghodeswar/Ms. K.R. Deshpande, A.G.P. for State.
Shri P.B. Patil, Advocate for Respondent University.
Shri N. Khubalkar, Advocate for respondent Entrance Test Cell.

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

DATED : OCTOBER 01, 2018

ORAL JUDGMENT (PER B.P. DHARMADHIKARI, J.) :

We have heard Ms. Rane and Shri Deshpande, learned counsel for petitioners, Shri S.M. Ghodeswar/Ms. K.R. Deshpande, learned A.G.Ps. for respondent -State, Shri P.B. Patil and Shri S.A. Marathe, Advocate for respondent University, Shri N. Khubalkar, Advocate for respondent - State Entrance Common Test and Shri De, learned Counsel for respondent no.2 in Writ Petition No. 5081/2018. None appears for other respondents though served. Looking to the

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controversy involved and with consent of the respective learned counsel appearing for parties, matters are taken up for final disposal. Hence, Rule is made returnable forthwith in all the matters.

2. It is not in dispute that petitioners have validities as Mana Scheduled Tribes in favour of their blood relatives. Some such validities are also given after proper vigilance enquiry.

3. In Writ Petition No. 5079 and 4865 of 2018 there are one or more entries, which in caste column uses words either “Mane or Mani”. Old documents in all matter consistently show caste Mana and those documents are not found to be tampered with or interpolated.

4. Identical situation is looked into by this Court while deciding Writ Petition No. 571/2018 and other connected matters on 30.08.2018. We find that the said judgment delivered by this Bench clinches the controversy. Hence, for reasons recorded in that judgment, we quash and set aside the impugned orders passed by the Scrutiny Committee and direct the Scrutiny Committee to grant

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validity to respective petitioners as Mana Scheduled Tribes forthwith.

5. Writ Petitions are accordingly allowed. Rule is made absolute in aforesaid terms with no order as to cost.

JUDGE

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