



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

WRIT PETITION No.7225 OF 2017

Nikhil s/o. Chandrakant Chaudhari,
Aged about 22 years,
Occupation : Student,
R/o. Gosikhurd Colony,
Near Rural Hospital, Tahsil Road,
Nagbhid, Tah. Nagbhid,
Distt. Chandrapur 441 205.

: PETITIONER

...VERSUS...

1. The Joint Commissioner/
Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee,
Gadchiroli Division, Gadchiroli.
2. The Directorate of Medical Education
& Research, Mumbai.
3. The Principal,
Jawaharlal Darda Institute of
Engineering & Technology,
MIDC, Lohara, Yavatmal 445 001.
4. The Vice-Chancellor/Registrar,
Sant Gadge Baba Amravati University,
Amravati.

: RESPONDENTS

Ms. Priti D. Rane, Advocate for the Petitioner.
Shri A.M. Balpande, Asstt. Government Pleader for Respondent Nos.1 and 2.
Shri R.S. Sirpurkar, Advocate for Respondent No.4.

CORAM : S.B. SHUKRE AND
S.M. MODAK, JJ.

DATE : 28th NOVEMBER, 2018.

ORAL JUDGMENT : (Per : S.B. Shukre, J.)

1. Heard.
2. Rule. Rule made returnable forthwith.
3. Heard finally by consent.
4. There is no dispute about the fact that prior to consideration of the caste claim of the petitioner as regards its validity, the father as well as sister of the petitioner were already granted validity certificate by the concerned Caste Validity Scrutiny Committee. Therefore, the issue involved in this case is squarely covered by the view taken by this Court in several petitions decided earlier, two of which are - (i) **Writ Petition No.5171/2018 Mrunali d/o. Shamrao Wakade vs. The Vice-Chairman/ Member Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli and others** along with other connected matter decided on 30th August, 2018 and (ii) **Gajanan s/o. Pandurang Shende vs. Head-Master, Govt. Ashram School, Dongargaon Salod and others**, reported in **2018(2) Mh.L.J. 460**. This is also graciously conceded to by the learned Assistant Government Pleader.
5. In the circumstances, this petition deserves to be allowed and it is allowed accordingly.
6. The impugned order is quashed and set aside.
7. The Caste Validity Scrutiny Committee, Gadchiroli is directed to issue validity certificate to the petitioner regarding his claim as belonging to “Mana” (Scheduled Tribe) within two weeks.

8. Rule is made absolute in the above terms.

JUDGE

JUDGE

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