

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

WRIT PETITION NO.4690/2018

Samir S/o Khushal Deotale

..Vs..

The Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli and
others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI AND Z.A.HAQ, JJ.

DATED : 2.8.2018.

1. Heard Shri Ashwin Deshpande, Advocate for petitioner and Shri S.M. Ghodeswar, A.G.P. for respondent Nos.1 to 3.

2. Caste claim has been invalidated only because of entry "Mane" appearing in one document otherwise all documents consistently record the caste "Mana". The caste is recorded as "Mana" in admission register of grand-father on 1.3.1948. Entry "Mane" is in school admission register on 20.3.1943.

3. Perusal of order reveals that father of petitioner is already given validity by the Committee. That validity has not been accepted because there was no vigilance enquiry.

4. The vigilance enquiry has been conducted in case of petitioner and in it except for one document in which word "Mane" appears there is no other material. It is not the case of respondents that any caste by name

“Mane” exists.

5. We, therefore, find in these facts, reason recorded for discarding validity of father unsustainable.

6. In view of this, for these and other reasons recorded in order passed today in Writ Petition No.4767/2018, we allow this petition.

7. We, accordingly, direct respondent Committee to immediately issue validity to petitioner as person belonging to “Mana” Scheduled Tribe.

JUDGE

JUDGE

Tambaskar.