



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION No.5984 OF 2018

Saurabh s/o. Gopichand Randhaye,
Aged 20 years, Occupation : Student,
R/o. Kotgaon, Tah. Nagbhid,
Distt. Chandrapur.

: PETITIONER

...VERSUS...

1. The Vice-Chairman/Member Secretary,
Scheduled Tribe Caste Certificate
Scrutiny Committee,
Gadchiroli.
2. The Director,
Vishveswarya National Institute of
Technology (VNIT),
Bajaj Nagar,
Nagpur.
3. The State Common Entrance Test Cell,
Maharashtra State, Mumbai,
Through its Commissioner,
having his office at 8th Floor,
Near Excelsior Building,
A.K. Naik Marg, Fort,
Mumbai.

: RESPONDENTS

Ms. Preeti D. Rane, Advocate for the Petitioner.

Smt. Harshada Prabhu, Asstt. Government Pleader for the Respondent No.1.

Shri Nahush Khubalkar, Advocate for Respondent No.3.

CORAM : SUNIL B. SHUKRE AND
SMT. PUSHPA V. GANEDIWALA, JJ.

DATE : 25th MARCH, 2019.

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

1. Heard.
2. Rule. Rule made returnable forthwith. Heard finally by consent.
3. In this case, there are two sets of documents which, according to us, overwhelmingly go in favour of the petitioner. First set of document comprises one document, which is a revenue P-I document of the year 1921-22 and it shows one Vijya s/o. Vihitya as belonging to “Mana” caste. Vijya s/o. Vihitya is common ancestor of the petitioner. There is no dispute about this fact. The other set of document consists of 3 validities granted to the members of extended family of the petitioner. These validities have been granted to Kevalram (certificate No.116790), Neha (certificate No.146807) and Akshay (certificate No.146281) by the Scrutiny Committee at Gadchiroli. These persons have been declared to be belonging to “Mana” Scheduled Tribe by the Scrutiny Committee at Gadchiroli. They are related to the petitioner from the paternal side and this relationship is not in dispute.
4. These facts of the case, in our opinion would show that the case is squarely covered by the view taken by us in two cases, namely, Writ Petition No.2834/2018, decided on 31st January, 2019 and Writ Petition No.2713/2014, decided on 20th March, 2019.
5. In this view of the matter, we are inclined to allow this

petition and it is allowed accordingly.

6. The impugned order is hereby quashed and set aside.

7. The respondent No.1/Committee is directed to issue validity certificate in the name of the petitioner within four weeks from the date of receipt of this order.

8. Rule is made absolute in these terms. No costs.

JUDGE

JUDGE

वाडोदे