



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

WRIT PETITION No.4156 OF 2018

1. Akhil s/o. Ratiram Dharne,
Aged about 26 years,
Occupation : Student.
2. Mamta d/o. Ratiram Dharne,
Aged about 23 years,
Occupation : Student.

Both R/o. Tilak Ward WCL Colony,
Ballarpur, Distt. Chandrapur.

: PETITIONERS

...VERSUS...

1. The Vice-Chairman,
Scheduled Tribe Caste Certificate
Scrutiny Committee, Gadchiroli.
2. The Principal,
Dr. Babasaheb Ambedkar College,
Chandrapur.

: RESPONDENTS

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

Shri A.V. Palshikar, Asstt. Government Pleader for the Respondent No.1.

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 many documents which clinch the issue in favour of petitioners. There are two certificates of validity granted to uncles of petitioner, by the Committee at Gadchiroli vide Certificate Nos.1885503 and 122300. By these certificates, the social status of Shramrao Dharne and Mangal Dharne has been validated to be that of "Mana" Scheduled Tribe. P-I Revenue document shows Jana s/o. Sago as belonging to 'Mana' caste. There is no dispute about Jana being related to the petitioner as being the petitioner's common ancestor. The validity certificates issued by Gadchiroli Committee to petitioner's paternal uncles have not been disputed by the Committee.

4. The above referred factual situation would show that this case is squarely covered by the view taken by this Court in two writ petitions, 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.



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

JUDGE

JUDGE

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