



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

Writ Petition No. 6176 of 2018

Petitioner : Sambha son of Sadashiv Gaikwad, aged about 55
years, resident of Plot No. 31-B, Dubenagar,
Hudkeshwar Road, Nagpur
versus

Respondents : 1) Joint Commissioner & Vice-Chairman,
Scheduled Tribe-Caste Certificate Scrutiny
Committee, Gadchiroli
2) Executive Engineer, CCO & M Division,
MSDCL, Hinganghat, District Wardha

Shri S. R. Narnaware, Advocate for petitioner

Ms Kalyani Deshpande, AGP for respondent no. 1

Shri S. V. Purohit, Advocate for respondent no. 2

Writ Petition No. 6216 of 2018

Petitioner : Ku Prachi d/o Sambha Gaikwad, aged about
22 years, Occ: Student, resident of Plot No. 31-B,
Dubenagar, Hudkeshwar Road, Nagpur

versus

Respondents : 1) Joint Commissioner & Vice-Chairman,
Scheduled Tribe-Caste Certificate Scrutiny
Committee, Gadchiroli
2) Principal, Yashwantrao Chavan College of
Engineering, Wanadongri, Nagpur

Shri S. R. Narnaware, Advocate for petitioner

Ms Kalyani Deshpande, AGP for respondent no. 1

Shri P. D. Meghe, Advocate for respondent no. 2

Coram : Sunil B. Shukre & S. M. Modak, JJ

Dated : 31st January 2019

Oral Judgment (Per Sunil B. Shukre, J)

1. Heard learned counsel for the parties. Rule. Heard forthwith by consent of parties.

2. Petitioner Sambha Gaikwad is father of petitioner Prachi Gaikwad. The ground relied upon by the petitioners for issuance of direction to respondent-Committee regarding grant of validity of the petitioners is that one Sudhakar Bandu Gaikwad, paternal brother's son of petitioner Sambha and paternal cousin of petitioner Prachi has been

granted validity as they belonging to “Mana” scheduled tribe by the Scrutiny Committee at Nagpur on 26.3.2007. There is no dispute about grant of validity to the blood relations of the petitioners and, therefore, going by the settled principle of law, we see no reason as to why the petitions should not be allowed.

3. Writ Petitions are allowed. The impugned orders are hereby quashed and set aside. It is directed that respondent-Committee shall issue validity certificate to the petitioners as she belonging to “Mana” Scheduled Tribe, within four weeks from the date of receipt of the order.

4. Rule is made absolute in the above terms. No costs.

S. M. MODAK, J

SUNIL B. SHUKRE, J

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