



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

Writ Petition No. 6940 of 2018

Petitioner : Ku Neha d/o Gopichand Dharne, aged about 18
years, Student, resident of 69, GUT No. 181,
Laxmi Colony, Satara Parisar, Aurangabad
versus

Respondents : 1) State of Maharashtra, through its
Secretary, Tribal Development Department,
Mantralaya, Mumbai
2) Scheduled Tribe Certificate Scrutiny
Committee, through Member Secretary, Zilla
Parishad Complex Area, Gadchiroli

Shri Shankar D. Borkute, Adv for petitioner

Shri A. M. Balpande, AGP for respondents

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. The ground relied upon by the petitioner for issuance of direction to respondent-Committee regarding grant of validity of the petitioner is that her father Gopichand Dharne and real brother Sagar Dharne have been granted validity as they belonging to “Mana” scheduled tribe by the respondent-Scrutiny Committee on 11.8.2008 and 5.5.2009. There is no dispute about grant of validity to the blood relations of the petitioner and, therefore, going by the settled principle of law, we see no reason as to why the petition should not be allowed.

3. Writ Petition is allowed. The impugned order is hereby quashed and set aside. It is directed that respondent-Committee shall issue validity certificate to the petitioner 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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