



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,

NAGPUR BENCH : NAGPUR

Writ Petition No. 6135 of 2018

**Petitioner :** Nikhil s/o. Kawaduji Sawsakade,

Aged about 21 years,

Occupation : Student,

R/o. At Asala, Post Bhatala,

Tq. Warora, District Chandrapur.

versus

**Respondents :** 1. The Schedule Tribe Caste Certificate Scrutiny

Committee, through its Member Secretary

and Deputy Director, Gadchiroli.

2. The Principal,

Data Meghe Institute of Medical Science's

Datta Meghe Institute of Engineering and

Technology and Research, Savangi (Meghe).

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Shri Ashwin Deshpande, Advocate with him for petitioner.

Shri V.P. Maldhure, Asst. Govt. Pleader for respondent No.1.

Respondent no. 2 served  
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**Coram : Sunil B. Shukre &  
Smt Pushpa V. Ganediwala, JJ**

**Dated : 22<sup>nd</sup> April 2019**

**Oral Judgment (Per Sunil B. Shukre, J)**

1. Rule. Heard forthwith by consent of parties.
2. In this case, there are three documents which clinch the issue in favour of the petitioner including two pre-constitutional documents. There is sale deed dated 20.6.1943 which is executed by the petitioner's cousin uncle by name Shrawan Ragho wherein his caste is shown as “Mana” and birth certificate in respect of petitioner's cousin uncle who is son of Govinda Ragho, showing his caste as “Mana”. The third document is Record of Right in respect of Shrawan Ragho Sarsakde, grand-father of the petitioner for the year 1954-55 in which the caste reflected is “Mana”. There is no dispute about the relationship of Shrawan and Ragho with the petitioner.
3. 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 of 2018, decided on 31<sup>st</sup> January 2019 and Writ Petition No. 2713 of 2014, decided on 20<sup>th</sup> March 2019. In this view of the matter, we are inclined to allow the petition.

4. Writ Petition is allowed. Impugned order is hereby quashed and set aside. Respondent no. 1-Committee is directed to issue validity certificate in the name of petitioner as he belonging to Scheduled Tribe “Mana” within four weeks from the date of receipt of this order.

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

**SMT PUSHPA V. GANEDIWALA, J**

**SUNIL B. SHUKRE, J**

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