IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH

WRIT PETITION NO. 6812 OF 2018

Nisha Laxman Gaikwad,
aged 17 years, occupation
Student, minor, through
natural guardian father
Shri Laxman Tulsiram
Gaikwad, r/o Hudkeshwar,
Nagpur. ... PETITIONER

Versus

Scheduled Tribes Caste
Certificate Scrutiny Committee,
through its Member Secretary,
Gadchiroli. … RESPONDENT

Shri R.S. Parsodkar, Advocate for the petitioner.
Shri V.P. Maldhure, AGP for the respondent.
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CORAM : SUNIL B. SHUKRE &
PUSHPA V. GANEDIWALA JJ.
APRIL 30, 2019.

__ORAL JUDGMENT__ : (PER PUSHPA V. GANEDIWALA, J.)

Rule. Rule is made returnable forthwith and heard

finally with the consent of the learned counsel for the

respective parties.

2. In spite of several opportunities given to the

respondent, no reply has been filed by it.

3.   In this petition, undisputedly, the father of the petitioner has already been conferred with the caste validity certificate as belonging to "Mana – Scheduled Tribe", by the Caste Scrutiny Committee, Gadchiroli, on 06.05.2010. The said certificate is annexed as Annexure VII to this petition. There are two other documents annexed with the petition like School Leaving Certificates of the father of the petitioner, of the years 1982 and 1988, which clearly mention the caste as 'Mana – Scheduled Tribe).   The facts of this case are also covered by the judgment of this Court in Writ Petition No. 4225 of 2018 rendered on 09.04.2019 (*Shubham Prakash Dhote vs. The Scheduled Tribes Caste Certificate Scrutiny Committee, Nagpur & Ors*.).

4.   In view of this, we are inclined to allow this petition and the same is accordingly allowed. The impugned order dated 31.07.2018 is hereby quashed and set aside. The respondent – Caste Scrutiny Committee, Gadchiroli, is directed

to issue caste validity certificate to the petitioner, as a person belonging to Mana – Scheduled Tribe.

5.   Writ Petition is disposed of accordingly. Rule is made absolute in these terms. However, in the facts and circumstances of the case, there shall be no order as to costs.

JUDGE   **JUDGE**

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