



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

Writ Petition No. 6556 of 2018

Petitioner : Nitesh son of Nanaji Chaukhe, aged about 22
years, Occ: Student, resident of Shivaji Nagar,
Ward No. 3, Salve Colony, Tukum, Chandrapur
versus

Respondents : 1) The Chairman/Member/Secretary, The
Scheduled Tribe Caste Certificate Scrutiny
Committee, Gadchiroli
2) The Principal, Gondia Homeopathic Medical
College, Suryatola, Gondia
3) The Registrar, Maharashtra University of Health
Sciences, Dindori Road, Nasik

Ms Preeti D. Rane, Advocate for petitioner

Shri S. S. Doifode, AGP for respondent no. 1

Respondent no. 2 served

Shri Kiran Malokar, Advocate for respondent no. 3

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 no. 1 Committee is that his own father and real brother have been granted validity as they belonging to “Mana” scheduled tribe by the Committee at Nagpur and respondent no. 1 Committee respectively on 13.12.2007 and 20.7.2011. There is no dispute about the grant of validity to the blood relations of the petitioner. and, therefore, going by the settled principles of law, we see no reason as to why the petitions should not be allowed.

3. Writ Petition is allowed. The impugned order is hereby quashed and set aside. It is directed that respondent no.1 Committee shall issue the validity certificate to the petitioner as he belonging to “Mana” Scheduled tribe within four weeks from the date of receipt of this order.

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

S. M. MODAK, J

SUNIL B. SHUKRE, J

joshi