



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

Writ Petition No. 6527 of 2018

Petitioner : Jagdish son of Shadananrao Badge, aged about
54 years, Occ: service, resident of Lonkhairi, Post
Navegaon, Tahsil Sindhewahi, District Chandrapur
versus

Respondent : 1) The Scheduled Tribe Caste Certificate Scrutiny
Committee, through its Member-Secretary
and Deputy Director, Gadchiroli
2) The Block Education Officer, Panchayat Samiti,
Sindhewahi, District Chandrapur
3) The Chief Officer, Zilla Parishad, Chandrapur

Shri Ashwin Deshpande, Adv for petitioner

Ms M. A. barabdhe, AGP for respondent no. 1

Respondents no. 2 and 3 served

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 regarding grant of validity of the petitioner is that in all 11 of his blood relations consisting of his cousin brothers, their daughters and paternal cousin sisters have been granted validity as he belonging to “Mana” scheduled tribe by the respondent no. 1 Scrutiny Committee on such dates as 16.11.2007, 15.11.2007, 30.6.2006, 11.10.2006, 30.8.2008, 11.10.2008, 11.10.2006, 10.10.2006, 26.8.2008, 30.7.2008 and 19.5.2007. There is no dispute about grant of validity to the blood relations of the petitioner on paternal side 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 no. 1 Committee shall issue validity certificate to the petitioner as he 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

joshi