



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

WRIT PETITION NO. 7560 OF 2022

Prabhakar S/o Ramchandraj Hedao Vs. Joint Commissioner & Vice-Chairman, Scheduled Tribe Caste Certificate Scrutiny Committee

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.R. Narnaware, Advocate for Petitioner
Mr. Alap Palshikar, AGP for Respondent

CORAM: AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.

DATED : 17th FEBRUARY, 2025

1. The petition questions the decision of the Caste Scrutiny Committee, Amravati dated 18.10.2022 (page 63). The tree as incorporated in para 6 of the impugned decision is not in disputed. It is also not in dispute that Kavita Narendra Hedao and Bandu Narendra Hedao, the paternal cousins of the petitioner have been granted validity by the Committee. Ku. Kavita Narendra Hedao was granted validity on 09.08.2005 (page 33), and Bandu - her brother was also granted validity which is indicated by the report of the vigilance (page 50). Though the validity of Kavita Narendra Hedao was placed on record before the Committee, the Committee does not consider the same at all. Since the relationship with Kavita Narendra Hedao and Bandu Narendra Hedao is not disputed and it is

also not disputed that they have been granted validity, we do not see any reason why the validity should be denied to the petitioner. Till such time, the validity in favour of his cousins is legal and valid, the impugned decision does not appeal to us in view of the statutory provision of the Act of 2012, as contained in Rule 16(3) thereof. It is also necessary to note, that in para 3 of the impugned decision, the oldest document recorded is a school leaving certificate of Pundlik Mahadevo Hedao, the cousin grandfather of the petitioner which records the entry of Halba dated 03.7.1931, which is a per-constitutional document, which entry is not disputed by the learned Assistant Government Pleader.

2. In view of the above, we hereby quash and set aside the impugned decision dated 18.10.2022 (page 63) and direct the Caste Scrutiny Committee, Amravati to grant validity certificate to the petitioner of belonging to the Halba Scheduled Tribe. The petition is allowed in the above terms. No costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

MP Deshpande