

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

WRIT PETITION NO.2223 OF 2015

(Ankita d/o Sanjay Nemade, through father Sanjay s/o Baliram Nemade ..vs.. The Deputy Director/Member Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
S.B. SHUKRE, JJ.**

DATE : 28-04-2015.

Heard Shri A.P. Kalmegh, learned Counsel for the petitioner, Shri Anand Deshpande, learned Advocate for respondent Nos.1 and 2 and Shri A.K. Bangadkar, learned Assistant Government Pleader for respondent No.3. Nobody appears for respondent No.4.

2. The petitioner has Caste Certificate dated 03-03-2007, which reveals that she belongs to Thakur Scheduled Tribe. The petitioner is attempted to submit it for verification to respondent No.1, but it was not accepted on the ground that it is not in Form-C.

3. Shri A.P. Kalmegh, learned Advocate has invited our attention to Form-C appended to Maharashtra Scheduled Tribes (Regulation of Issuance and Verification of) Certificate Rules, 2003. He submits that said Form-C and form in which the petitioner has been

given caste certificate are not different. Shri Anand Deshpande, learned Advocate and Shri A.K. Bangadkar, learned Assistant Government Pleader attempt to point out the differences in Form-C appended to Rules and caste certificate given to the petitioner.

4. We find that differences are not that material. Ingredients mentioned in Form-C appended to Rules also appears in Caste Certificate dated 03-03-2007 of the petitioner.

5. In this situation, it is apparent that no prejudice will be caused if caste claim is processed on the basis of Caste Certificate dated 03-03-2007 of the petitioner.

6. Hence, we direct respondent No.1 to accept Caste Certificate dated 03-03-2007 at Annexure-C of the petitioner and to proceed further with verification in accordance with law. The petitioner shall submit said document to respondent No.1 within a period of two weeks from today.

7. With these directions, the writ petition is partly allowed. No costs.

JUDGE

JUDGE