

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

WRIT PETITION NO. 2479 OF 2021

PETITIONER :- Tarun S/o Shailendra Kale, Aged about 17 years, Occupation – Student, Through his Guardian Shailendra Rambhau Kale, age 54 years, R/o Chaitanya, Main Road, Banosa Tq. Daryapur, Dist. Amravati.

...VERSUS...

RESPONDENT :- The Scheduled Tribes Certificate Scrutiny Committee, Amravati Division, Amravati, through its Member.

Mr.F. T. Mirza, counsel for petitioner.
Mr. A.M.Kadukar, AGP for respondent.

**CORAM : SUNIL B.SHUKRE &
ANIL L. PANSARE, JJ.**

DATE : 10.12.2021.

ORAL JUDGMENT (Per :Sunil B.Shukre, J.)

Heard.

2. **Rule.** Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.

3. Learned counsel for the petitioner submits that there

are several validity certificates existing in the paternal family of the petitioner and these validity certificates being conclusive proof of social status of the paternal relatives in whose names the validity certificates have been granted, the claim of the petitioner that he belongs to “*Koli Mahadeo*” Scheduled Tribe is more than fortified. He also points out that this Court in another petition filed by Ninad Mahendra Kale in Writ Petition No.3884 of 2018 decided on 23.04.2019, quashed and set aside the impugned order rejecting the validity of tribe certificate, and directed the Scrutiny Committee, Amravati, to issue validity certificate in the name of Ninad Mahendra Kale.

4. Learned counsel for the petitioner thus submits that in the face of such voluminous evidence favouring the petitioner, respondent- Committee should now have no difficulty in deciding the tribe claim of the petitioner.

5. In the result, the petition is partly allowed and the respondent No.1 is directed to decide the tribe claim of the petitioner in accordance with law, as expeditiously as possible and

preferable within four weeks from the date of the order.

6. The writ petition is disposed of accordingly.

(ANIL L. PANSARE, J)

(SUNIL B. SHUKRE, J)