

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

WRIT PETITION NO.8244 OF 2018

Vijay s/o Uddhavrao Ingle
Age 48 years, Occ. - Service,
R/o. Bhawani Vesh, At Post Tq. Daryapur,
Dist. Amravati

.... PETITIONER

VERSUS

1. Vice Chairman/Jt. Commissioner
Schedule Tribe Caste Certificate Scrutiny
Committee, Irwin Chowk,
Amravati Division, Amravati
2. Education Officer (Secondary),
Zilla Parishad, Amravati
3. Head Master, Prabodhan Vidyalay,
Daryapur, Tq. Daryapur,
Dist. Amravati

...RESPONDENTS

Shri A.P. Kalmegh, Advocate for the petitioner.
Mrs. S.S. Jachak, Assistant Government Pleader for the
respondent Nos.1 & 2/State.

**CORAM : A.S. CHANDURKAR AND
G.A. SANAP, JJ.**

DATED : DECEMBER 21, 2021.

JUDGMENT (Per A.S. Chandurkar, J.) :

Rule. Rule is made returnable forthwith and heard
learned counsel for the parties.

2. A common order passed by the respondent No.1 – Caste Scrutiny Committee on 25/05/2018 invalidating the tribe claim of the petitioner of belonging to “Thakur” Scheduled Tribe is the subject matter of challenge in this writ petition. It is submitted by the learned counsel for the petitioner that the very same order passed while adjudicating the tribe claim of the petitioner’s son has been set aside in Writ Petition No.8237/2018 by the judgment dated 11/03/2020. It has been held therein that the said petitioner who is the son of the present petitioner belongs to “Thakur” Scheduled Tribe. Consequently, the Scrutiny Committee on 16/07/2020 has issued a Certificate of Validity to the petitioner’s son.

3. In the aforesaid facts when the order dated 25/05/2018 is perused it can be seen that by that order the proceedings pertaining to the petitioner and his son were decided together. As a result of adjudication of Writ Petition No.8235/2018 that order in so far as operated against the petitioner’s son has been set aside. In these facts and for the reasons assigned in the aforesaid judgment, the order dated

25/05/2018 invalidating the petitioner's tribe claim is also set aside. It is held that the petitioner has proved that he belongs to "Thakur" Scheduled Tribe – Serial No.44 in the Constitution (Scheduled Tribes) Order, 1950. Necessary validity certificate be issued to the petitioner within a period of six weeks from today.

4. Rule made absolute in the aforesaid terms. No costs.

(G.A. SANAP, J.)

(A.S. CHANDURKAR, J.)

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