

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

WRIT PETITION NO.2072 OF 2022

(Tanushri d/o Kishor Nemade vs. The Vice Chairman/Member Secretary,
Scheduled Tribe Caste Certificate Scrutiny Committee)

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

Ms. Preeti Rane, Advocate for petitioner.

Mrs. K.R. Deshpande, Assistant Government Pleader for
respondent.

CORAM : A.S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATED : AUGUST 26, 2022

Rule. Rule is made returnable forthwith. Heard
learned Counsel for the parties.

2) The petitioner has challenged the order of
invalidation dated 23/12/2021 passed by the Scrutiny
Committee. It is common ground that the petitioner's father
Kishor had filed Writ Petition No.6312/2018, which was
decided on 14/2/2020. Therein, the order of invalidation
passed by the Scrutiny Committee was set aside and it was
held that the petitioner's father belongs to "Thakur"
(Scheduled Tribe).

3) In the light of this adjudication, which has not been
stated to be further challenged, the petitioner would be
entitled to similar relief in the light of the judgment in the case
of *Apoorva d/o Vinay Nichale vs. Divisional Caste Certificate*

Scrutiny Committee, No.1 and others (2010(6) Mh.L.J. 401).

4) Hence, for the reasons assigned in the judgment passed in Writ Petition No.6312/2018 on 14/2/2020, the order passed by the Scrutiny Committee dated 23/12/2021 is set aside. It is declared that the petitioner belongs to “Thakur” (Scheduled Tribe). The Scrutiny Committee shall issue a validity certificate to the petitioner within a period of six weeks from receipt of copy of this order. The petitioner is free to rely upon copy of this order while pursuing her education till validity certificate is issued to her.

5) The petition is disposed of in the above terms. Rule accordingly. No costs.

JUDGE

JUDGE

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