

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

**WRIT PETITION NO. 5025 OF 2022**

(Ku. Siddhi d/o Mahendra Nimke Vs. Schedule Tribe Caste Certificate Scrutiny Committee, Amravati)

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

*Court's or Judge's order*

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Shri A.P Kalmegh, Advocate for the petitioner.

Ms. T.H. Udeshi, Assistant Government Pleader for the respondent.

**CORAM : A. S. CHANDURKAR AND ANIL L. PANSARE, JJ.**

**DATE : NOVEMBER 29, 2022.**

Rule. Rule made returnable forthwith and heard the learned Counsel for the parties.

The challenge raised is to the order passed by the Scrutiny Committee dated 3/1/2022 thereby invalidating the tribe claim of the petitioner of belonging to 'Thakur' Scheduled Tribe. By placing an affidavit on record, the petitioner has stated that her real brother Abhishek has been granted validity certificate pursuant to the judgment in Writ Petition No. 5645/2021 (*Abhishek s/o Mahendra Nimke Vs. Schedule Tribe Caste Certificate Scrutiny Committee, Amravati*).

Thus, following the law laid down by this Court in *Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No. 1 and others [2010 6 Mh.L.J. 401]* and as the petitioner is relying upon the same documents that were considered in the earlier judgment, for the reasons stated in the judgment dated 3/10/2022, the order passed by the Scrutiny Committee is set aside. It is declared that the petitioner belongs to 'Thakur' Scheduled Tribe. The respondent – Caste Scrutiny Committee, Amravati shall issue validity certificate to the petitioner within a period of six weeks from receipt of copy of this order. This adjudication is however subject to the proceedings before the Hon'ble Supreme Court in *Shilpa Vishnu Thakur Vs. State of Maharashtra and others* that has been referred to a larger Bench.

In the meanwhile, the petitioner is permitted to rely upon copy of this order to indicate that she has been held entitled of belonging to 'Thakur' Scheduled Tribe.

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

(ANIL L. PANSARE, J.)

(A. S. CHANDURKAR, J.)

SUMIT