

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

WRIT PETITION NO.6940 of 2014

Ku.Kiran do Balabhau Alaspurkar

.. Petitioner.

Versus

Divisional Caste Certificate Scrutiny
Committee No.1, Amravati Division, Amravati.
And two others.

..Respondents

Shri D.R.Iralepatil, Advocate for petitioner.
Ms K. R.Deshpande, Assistant Government Pleader for respondent no.1.

CORAM :- A.S.CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.
DATE :- JULY 05, 2022

The challenge raised in this writ petition is to the order dated 25.08.2014 passed by the Scrutiny Committee invalidating the tribe claim of the petitioner of belonging to 'Bhope' Nomadic Tribe-B (NT-B). After the impugned order was passed by the Scrutiny Committee, it issued validity certificate to the daughter of the petitioner's brother namely Ku. Ankita Rajendra Alaspurkar on 17.11.2015.

2. In the light of these developments, reply has been filed by the Scrutiny Committee in which it has been stated that in view of the judgment of this Court 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] it would withdraw its order dated 25.08.2014 and issue a validity certificate to the petitioner. It is also pointed out that the nephew of the petitioner namely Aniket Rajendra Alaspurkar has also been issued a similar validity certificate.

3. Hence accepting the statement made in the affidavit filed by the Divisional Caste Certificate Scrutiny Committee No.1-respondent no.1 dated

10.06.2015, the impugned order dated 25.08.2014 stands withdrawn by the Scrutiny Committee. In the light of the further statement in the affidavit, it is directed to issue validity certificate to the petitioner of belonging to 'Bhope' NT-B within a period for four weeks from the receipt of copy of this order.

Rule is made absolute in aforesaid terms. No costs.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

Andurkar..