



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

WRIT PETITION NO.241/2018

Ku. Rajni Krishnaswamy Kale,  
aged 41 Yrs., Occ. Senior Assistant,  
VNIT, R/o Gaddigodam, Nagpur.

... Petitioner

- Versus -

1. Scheduled Tribe Caste Certificate  
Scrutiny Committee, through its  
Member Secretary, Adiwasi Bhavan,  
Giripeth, Nagpur.
2. Visvesvaraya National Institute of  
Technology, through its Director,  
North Ambazari Road, Abhyankar Nagar,  
Nagpur 440 010.

... Respondents

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Mr. R. S. Parsodkar with Mr. P.R. Parsodkar, Advocates for the  
Petitioner.

Ms. Prachi T. Joshi, Assistant Government Pleader for  
Respondent No.1.  
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CORAM :- SMT. ANUJA PRABHUDESAI &  
MRS. VRUSHALI V. JOSHI, JJ.

DATED :- 21.12.2023

ORAL JUDGMENT (Per Smt. Anuja Prabhudesai, J.)

Heard. **Rule.** Rule made returnable forthwith.

Heard finally by consent.

2. The petitioner has challenged the order dated 29.12.2017 passed by respondent No.1 Caste Scrutiny Committee invalidating the caste claim as belonging to “Mannewar” Scheduled Tribe.

3. Learned counsel for the petitioner states that the school leaving certificate dated 24.6.1947 of the father of petitioner shows his caste as Telgu Mannewar. He states that the said document has been discarded stating that Telgu Mannewar is different from Mannewar caste.

4. Learned counsel for the petitioner states that this issue is squarely covered by the judgment of this Court dated 4.4.2016 in Writ Petition No.4432/2003 (Balayya alias Balraj S/o Hiralal Pagade (Pagale) V/s. State of Maharashtra and others) wherein the Division Bench of this Court referring to the previous decision of Anil Ramdas Mede V/s. State of Maharashtra and others reported in 2004 (0) BCI 384 has observed that Telgu is not a caste, but official language declared under 8<sup>th</sup> Schedule of

the Constitution. Under the circumstances, the Caste Scrutiny Committee could not have discarded the document on the sole ground that official language is mentioned in the said document along with caste.

5. The present case is squarely covered by the decision in Balayya alias Balraj S/o Hiralal Pagade (Pagale) (supra). The pre-independence documents show that the petitioner belongs to Mannewar caste. In the circumstances, the decision of the Caste Scrutiny Committee cannot be sustained. Hence the petition is allowed.

The impugned order dated 29.12.2017 is quashed and set aside. Respondent No.1 Caste Scrutiny Committee shall issue validity certificate of Mannewar Scheduled Tribe to the petitioner with a period of one month.

Rule is made absolute in the above terms.

(MRS. VRUSHALI V. JOSHI, J.) (SMT. ANUJA PRABHUDESAI, J.)