

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

WRIT PETITION NO.192 OF 2022

Suresh S/o Kisanrao Pinjarkar,
Aged about 68 years,
Occupation: Retired,
R/o Mangilal Plot, Camp,
Amravati.

..... **PETITIONER**

...V E R S U S...

Deputy Director/Member Secretary,
Scheduled Tribe Caste Scrutiny Committee,
Amravati.

..... **RESPONDENT**

Mr. S. P. Palshikar, Advocate for Petitioner.
Mr. N. S. Rao, AGP for Respondent/State.

CORAM: **ROHIT B. DEO AND MRS. VRUSHALI V. JOSHI, JJ.**
DATE: **8th MARCH, 2023.**

ORAL JUDGMENT: (PER ROHIT B. DEO, J.)

Heard. Rule. Rule made returnable forthwith by
consent of the learned counsels for the parties.

2. The challenge is to the decision dated 10.09.2020
rendered by the Scheduled Tribe Caste Scrutiny Committee
whereby the claim of the petitioner to be belonging to Raj
Scheduled Tribe is rejected.

3. The petitioner has placed on record praecipe along

with which are annexed copies of three decisions which according to the petitioner are rendered in the cases of near paternal relatives, who are already named in the family tree available on record.

4. While the learned counsel for the petitioner Mr. Palshikar submitted that in view of the decisions which are placed on record, the petition may be allowed in entirety, we find that it would be more appropriate if we remit the matter to the Committee to consider the decisions placed on record and to revisit the issue if the Committee is satisfied that the decisions are rendered in cases of the near paternal relatives of the petitioner.

5. We quash the order impugned and direct the petitioner to appear before the Caste Scrutiny Committee on 20.03.2023 and to produce on record copies of the decisions which are placed before us. The Committee shall take an appropriate decision, after hearing the petitioner, and within three weeks from the date of appearance of the petitioner.

6. The petition is partly allowed in the aforesaid terms.