

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

CIVIL APPLICATION (W) NO. 1514/2023

IN

WRIT PETITION NO.8394/2022

Ku. Kiran Shankarrao Thakare @ Sau. Kiran Sachin Bhokare

Vs.

Scheduled Tribe Certificate Scrutiny Committee, Amravati and Anr.

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

Court's or Judge's orders

Mr. P. S. Patil, Advocate for the Applicant.

Ms. Mayuri Deshmukh, A.G.P. for the Non-applicant(s)/State.

Mr. C.A. Babrekar, Advocate for Non-applicant No.2.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 12/05/2023.

1. The petitioner is challenging the order passed by the Caste Scrutiny committee, Amravati invalidating the caste claim of the petitioner belonging to caste of Bopchi, which is recognized as Scheduled Tribe.

2. The petitioner was elected as Sarpanch from Scheduled Tribe Category. As the caste claim of the petitioner is invalidated, the Collector has initiated the proceeding under Section 10-1A of the Maharashtra Village Panchayats Act.

3. The Caste Scrutiny Committee has invalidated the caste claim of the petitioner objecting the documents and affinity test without giving opportunity to the petitioner to file her affidavit.

4. As the petitioner has challenged the order passed by the Caste Scrutiny Committee, the interim

protection is granted in terms of prayer clause – i, which reads thus :

“i. Grant stay to the effect and operation to the order of respondent no.1, Scheduled Tribe Certificate Scrutiny committee, Amravati dated 28.11.2022 (**Annexure-VI of petition**) during the pendency of petition before this Hon’ble Court.”

(MRS. VRUSHALI V. JOSHI, J.)

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