

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

WRIT PETITION NO.4699 OF 2022

Pralhand S/o Deorao Sherkar,
Aged about 59 years, Occ. Service,
R/o. Samraspura, Achalpur,
Tah. Achalpur, District – Amravati. **PETITIONER**

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

1. Scheduled Tribe Caste Scrutiny
Committee, Irwin Chowk, Amravati,
through its Member Secretary.
2. Jagdamba Mahavidhyalaya, Achalpur,
through its Principal, Tah. Achalpur,
District-Amravati.
3. Deputy Director of Education,
Amravati Division to “Joint Director
(Higher Education), Amravati Division,
V.M.V. Premises, Amravati-444604.” **RESPONDENTS**

Mr. Sumeet Joshi, Advocate for Petitioner.
Mrs. Kalyani R. Deshpande, AGP for Respondents 1 and
3/State.

CORAM: **ROHIT B. DEO AND MRS. VRUSHALI V. JOSHI, JJ.**
DATE: **13th MARCH, 2023.**

ORAL JUDGMENT: (PER MRS. VRUSHALI V. JOSHI, J.)

Rule. Rule made returnable forthwith. By consent of
the parties heard finally.

2. The caste claim of the petitioner was invalidated by the respondent 1 – Scheduled Tribe Caste Scrutiny Committee, Amravati. The petitioner has stated that he is of 'Halbi' Scheduled Tribe and the documents which he has provided to the Caste Scrutiny Committee which were pre-constitutional documents were not considered by the Caste Scrutiny Committee and without considering said documents his caste certificate was invalidated.

3. The petitioner retired in November, 2022 and since then on the ground of invalidation of caste certificate he is not getting pension.

4. It would be appropriate to remit the matter to the Caste Scrutiny Committee to revisit the issue and consider the caste claim of the petitioner afresh.

5. In view of the above, the order passed by the Caste Scrutiny Committee is set aside. Direction is given to the Scrutiny Committee to reconsider the caste claim of the petitioner. The petitioner is directed to appear before the Caste Scrutiny Committee on 09.06.2023 and the Caste Scrutiny Committee to consider the caste claim within two months.

6. The petition is disposed of in the aforestated terms.

(MRS. VRUSHALI V. JOSHI, J.)

(ROHIT B. DEO, J.)

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