



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

WRIT PETITION NO.1614/2021

ku. Leena Balwantrao Chavan (after marriage Mrs. Leena Umesh Bhonde)

...Versus...

The Scheduled Tribes Caste Certificate Scrutiny Committee, Amravati, through its Member Secretary, Chaprasipura, Amravati and others

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

Court's or Judge's orders

Mr. R.S. Parsodkar, Advocate for petitioner
Mr. H.R. Dhumale, AGP for respondent Nos.1 and 4
Mr. P.P. Thakare, Advocate for respondent Nos.2 and 3

**CORAM : AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.**

DATE : 11/12/2024

1. The tribe claim of the petitioner belonging to 'Thakur Scheduled Tribe' has been rejected by the Scrutiny Committee by the impugned decision dated 23/02/2021 (pg.66) on the ground that there are entries, which indicate the ancestors of the petitioner were belonging to 'Bhat Community'.

2. Mr. Parsodkar, learned counsel for the petitioner invites our attention to an objection/verification submitted by the petitioner before the Scrutiny Committee on 20/11/2018 (pg.54) to which there were four documents i.e. dated 01/01/2018 regarding the leaving certificate of Vasant Bajirao Thakur [Chavan], which indicates that he belongs to Thakur Tribe; dated 21/01/1922 the sale-deed in favour of Bajirao Ganesh Thakur; 03/10/2021 the record of the Municipal Committee in relation to Bajirao Ganesh Thakur and dated 07/01/1934 leaving certificate of his aunt Kamal Vasantrao Chavan, which indicates that the ancestors of the petitioner were

belonging to Thakur Scheduled Tribe.

3. The fact, that this clarification was submitted to the Committee, is reflected from a perusal of para 4 of the impugned decision (pg.57) and so also from a perusal of the original record of the Committee, which indicates the receipt of objection/clarification and the documents annexed to it on 25/02/2020. The decision of the Committee, however, for reasons unknown, does not indicate consideration of these documents, which have a material bearing upon the tribe claim of the petitioner.

4. In view of the above, without going into the merits of the matter, we set aside the impugned decision of the Scrutiny Committed dated 23/02/2021 and remand the matter to the Scrutiny Committee to decide the same in accordance with law after considering the documents filed by the petitioner along with his clarification dated 25/02/2020 at record page 318 and onwards of the Committee and to decide the same within a period of six months from today. Since consequent to the formation of the Scrutiny Committee at Yavatmal District, the matters relating to Arvi would go before the Scrutiny Committee at Yavatmal, the petitioner shall appear before the Scrutiny Committee, Yavatmal on 30/12/2024 without any further notice being required to be issued to her by the Scrutiny Committee.

5. The writ petition is disposed of in the aforesaid terms. No order as to costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)