



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

WRIT PETITION NO.726 OF 2021

Petitioner: : Ku. Sarojini d/o Shankarrao Shinde,
 Aged about 50 years, Occ. Service,
 Occ. Service,
 R/o Plot No.87, Avdhoot Nagar, Chikhali Road,
 Manewada, Nagpur.

– Versus –

Respondents : : 1. The District Caste Scrutiny Committee, Bhandara,
 Through its Member Secretary.
 2. The Chief Executive Officer,
 Zilla Parishad, Nagpur.
 3. The Medical Officer,
 Primary Health Centre, Gumthala,
 Tq. Kalmeshwar, Dist. Nagpur.

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Mr. S.P. Bhandarkar assisted by Mr. Mr. G.S. Sing, Advocate for the Petitioner.
 Mr. S.C. Joshi, A.G.P. for Respondent No.1.
 Mr. V.D. Raut, Advocate for Respondent Nos.2 and 3.

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CORAM: AVINASH G. GHAROTE AND M.W. CHANDWANI, JJ.

DATE : 8th AUGUST, 2024.

ORAL JUDGMENT : (Per M.W. Chandwani, J.)

Rule. Rule made returnable forthwith. Heard finally by consent
 of the learned Counsel for the respective parties.

02] The petition challenges the order of respondent No.1-District
 Caste Scrutiny Committee, Bhandara (*hereinafter referred to as “Committee”*)

for short), whereby the caste claim of the petitioner as belonging to “Kanjarbhat” caste has been invalidated.

03] The contention is that, the caste claim of the real brother of the petitioner as belonging to “Kanjarbhat” caste had also been invalidated by the same Committee on the very same reason as in the case of the petitioner. The brother of the petitioner preferred Writ Petition No.663/2021, wherein this Court set aside the order dated 07/02/2020 passed by the Committee invalidating the caste of brother of the petitioner as “Kanjarbhat” caste and directed the Committee to issue him caste validity certificate accordingly. This Court by order dated 19/07/2024 did not agree with the reasons for invalidation of caste claim of brother of the petitioner. The same reasons have been assigned by the Committee while invalidating the caste claim of the petitioner. We do not see any reason to take different view than taken by this Court in Writ Petition No.663/2021.

04] In view of the said fact, this petition can also be disposed of on the same line. Hence, the following order :

ORDER

I. The writ petition is allowed.

- II. The impugned order dated 07/02/2020 passed by respondent No.1- Committee is hereby quashed and set aside.
- III. It is declared that petitioner-Ku. Sarojini d/o Shankarrao Shinde is belonging to “Kanjarbhat”- Vimukta Jati category.
- IV. Respondent No.1-Committee is directed to issue caste validity certificate to the petitioner as belonging to “Kanjarbhat” caste, within a period of four weeks.
- V. Rule is made absolute in the above terms with no order as to costs.

(M.W. Chandwani, J.)

(Avinash G. Gharote, J.)