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

WRIT PETITION NO.2800 OF 2024

(Namrata d/o Gajanan Sorte .vs. The Scheduled Tribes Caste Certificate Scrutiny
Committee and others)

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

Court's or Judge's orders.

Mr. Ashwin Deshpande, Advocate for the petitioner,
Mr. S.M. Ghodeswar, Assistant Government Pleader for
respondent nos.1 to 3.

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CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.
DATE : 29.04.2024.

1. Leave to amend raising additional ground.
Amendment to be carried out within one week.
2. Heard Mr. Ashwin Deshpande, Counsel for the
petitioner.
3. We have perused the impugned order dated
13th March, 2024. The petitioner has relied on the entry
'Halbi' which falls in the scheduled tribe list recognized with
the State of Maharashtra. The school leaving certificate of
her father, so also 18th August, 1941 entry in the birth
register in regard to great grandfather.
4. The committee thereafter has considered the
documents which are not from the paternal side of the
petitioner so as to eliminate the claim of the petitioner for
issuance of validity.

5. Based on such documents which ought not to have been taken into account by the committee in view of the Rule 2 (f) of the Maharashtra Scheduled Tribes (Regulation of Issuance and Verification of) Certificate Rules, 2003, as according to the relatives whose documents for considering the tribe claim should have been taken into account i.e. blood relative from paternal side only.

6. That being so, issue notice to the respondents, returnable on **18th June, 2024**.

7. Mr. S.M. Ghodeswar, learned Assistant Government Pleader waives notice for respondent nos.1 to 3.

8. We direct that not only the impugned order dated 13th March, 2024, but also the order of termination of service which is based on the aforesaid order of the committee negating the claim of the petitioner shall remain stayed until further order.

Civil Application (W) No. of 2024

1. This application is filed by the petitioner for amendment of the petition.

2. For the reasons mentioned in the application, we deem it appropriate to allow the application for amendment of petition. The application stands disposed of.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)