



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

WRIT PETITION NO. 390 OF 2025

Rohan Santosh Parate

vs.

The Committee for Verification of Scheduled Tribe Certificates, Yavatmal

Mr. K.S. Narwade, Advocate for petitioner.

Mr. I.J. Damle, AGP for respondent.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 23rd APRIL, 2025

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Heard.

2. It appears that the immediate ancestors namely grandfather and great-grandfather having the entries of 'Halbi' of 17.05.1961, 05.02.1977, 14.10.1932 and 24.10.1930. The said documents are in the form of sale deeds, extract of birth register, etc.

3. For rejecting the claim for issuance of validity, the Committee has relied on the entries which are subsequent to the aforesaid oldest entries. Apart from above, the entries in relation to the relatives of 'aunt' are relied on for the purpose of negating the claim of the petitioner.

4. If we consider the aforesaid approach of the Committee in the light of the definition of 'Relative' provided under Rule 2(1)(f) of the Maharashtra Scheduled Tribes (Regulation of Issuance and Verification of) Certificate Rules, 2003 (for short, the Rules of 2003), the relatives of the aunt cannot be said to be having blood relation with the petitioner as they are not the relatives from the paternal side of the petitioner. As such, the order passed by the Committee is not only contrary to the provisions of Rule 2(1)(f) of the Rules but also there is a failure on the part of the Committee to consider the oldest documents of 1932 and 1940 of the great-grandfather of the petitioner.

5. As such, the impugned order dated 29.11.2024 is hereby quashed and set aside. The matter stood restored to the file of the Committee. The petitioner to appear before the Committee on 05.05.2025. The Committee shall pass a fresh order within a period of three months from the date of appearance of the petitioner before it.

6. Needless to clarify that the Committee shall be sensitive to the aforesaid observations and particularly Rule 2(1)(f) of the Rules while analyzing the evidence in regard to the adverse entries.

7. The writ petition stands partly allowed in aforesaid terms. No costs.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.