



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

WRIT PETITION NO. 2360 OF 2024

PETITIONER : Ayushi D/o Sunil Hedao,
Aged about 19 Years, Occ.-Student,
R/o Vasti Vandan Apartment,
Ashiyad Colony, Amravati,
Tq. and Distt. Amravati.

V E R S U S

RESPONDENT : The Schedule Tribe Caste
Certificate Scrutiny Committee,
through its Member Secretary and
Deputy Director, Opp. Govt. Rest
House, Camp Amravati – 444 601.

Shri Ashwin Deshpande, Advocate for petitioner.
Mrs. S. V. Kolhe, Assistant Government Pleader for respondent.

**CORAM: SMT. M. S. JAWALKAR AND
PRAVIN S. PATIL, JJ.**

JUDGMENT RESERVED ON : 05/08/2025
JUDGMENT PRONOUNCED ON : 11/08/2025

JUDGMENT : (PER : PRAVIN S. PATIL, J.)

1. **Rule.** Rule made returnable forthwith. By consent of learned Counsel for the parties, the matter is taken up for final disposal.

2. By this petition, petitioner is questioning the order dated 21/03/2024 passed by respondent – committee of invalidation of her caste claim as “Halbi” Scheduled Tribe.

3. It is pointed out during the course of hearing that the impugned order dated 21/03/2024 passed by the respondent – committee is a common order by which along with petitioner, the caste claim of Sunil Gunwantrao Hedao, who is father of petitioner, Manish Gunwantrao Hedao, uncle of the petitioner and Ku. Sunita Gunwantrao Hedao - aunt of the petitioner was decided. The documents and evidence relied upon by all those applicants was the same and they are the descendants of one Tilluji, and documents of pre-independence era were commonly relied upon by them to support their caste claim.

4. It is further pointed out that this Court by Judgment dated 31/07/2025 decided the caste claim of the applicants namely; Sunil Gunwantrao Hedao, Savita Gunwantrao Hedao and Manish Gunwantrao Hedao. This Court while deciding the caste claim, considered the pre-independence era documents as well as other material aspects and by recording reasons, held that all the three applicants belong to caste “Halbi” Scheduled Tribe Category and directed the respondent – committee to issue Caste Validity Certificate to those applicants.

5. As such, once this Court held that the order passed by the Caste Scrutiny Committee dated 21/03/2024 being illegal and set it aside, certainly petitioner who was party to the said order as

one of applicant is also entitled to get the benefit of the same finding.

6. The learned counsel appearing for Committee fairly conceded the factual position. It is stated by her that once impugned order is set aside by this Court, she has no ground to raise any objection in the matter.

7. In this regard, it will be appropriate to refer the Judgment in the case of Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and others, reported in 2010 (6) Mh.L.J. 401, this Court has laid down the law by recording the specific finding in Para 4 as under :-

“4. We have considered the matter and we are of the view that the petitioner's caste claim that she belongs to Kanjar Bhat-Nomadic Tribe ought to have been accepted by the Committee merely on the basis that identical caste claim of her sister that she belongs to Kanjar Bhat has been allowed by the Committee, even apart from the Government Resolution. We are of the opinion that the guidelines provided by the said Govt. Resolution are sound and based on sound principles. It would indeed be chaotic otherwise. If the relationship by blood is established or not doubted, and one such relative has been confirmed as belonging to a particular caste, there is no reason why public time or money should be spent in the committee testing the same evidence and making the same conclusion unless of course the Committee finds on the evidence that the validity of the certificate of such relation has been obtained by fraud.”

8. Hence, considering the overall factual as well as legal position of the present matter, we are of the considered opinion

that the petitioner is also entitled for the same relief, which we have granted in Writ Petition No.2363/2024 on the basis of reasons recorded therein. Hence, we proceed to pass the following order :-

ORDER

- i] The writ petition is allowed.
- ii] The impugned order dated 21/03/2024 passed by the respondent – committee is hereby quashed and set aside.
- iii] It is held and declared that the petitioner belongs to “Halbi” Scheduled Tribe Category.
- iv] The respondent – committee is hereby directed to issue “Halbi” Scheduled Tribe Category Certificate to the petitioner within a period of four weeks from the date of receipt of this order.
- v] Rule is made absolute in above terms with no order as to costs.

[PRAVIN S. PATIL, J.]

[SMT. M. S. JAWALKAR, J.]