



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

WRIT PETITION NO. 6090 OF 2022

PETITIONER : Vijay S/o. Gulab Nannaware,
Age – 46 years, Occ :- Service,
R/o. Nandara, Ta. Chimur,
Dist. Chandrapur.

V E R S U S

RESPONDENTS :

1. State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32.
2. Scheduled Tribe Certificate Scrutiny
Committee, Chandrapur,
Through its Member-Secretary,
Complex Area, Dist. Gadchiroli.
3. Sub-Divisional Officer,
Chimur, Ta. Chimur, Dist. Chandrapur.

Shri Shankar Borkute, Advocate for petitioner.
Ms. S. V. Kolhe, AGP for respondent Nos.1 to 3.

**CORAM: SMT. M. S. JAWALKAR AND
PRAVIN S. PATIL, JJ.**
DATE : 12/08/2025.

ORAL 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, the petitioner is challenging the order passed by respondent No.2 – Scheduled Tribe Certificate Scrutiny Committee, Chandrapur dated 20/07/2022 by which the tribe claim of the petitioner belonging to “Mana” Scheduled Tribe is invalidated.

3. It is the submission of the petitioner that along with his application for verification of his Tribe claim submitted the following documents :-

(a) Copy of Extract of School Admission Register of the petitioner dated 05/07/1982 issued by Headmaster, Z. P. Primay School Nandara, Ta. Chimur, Dist. Chandrapur on 13/04/2022 in which is caste mentioned as Mana;

(b) Copy of school leaving certificate of the petitioner dated 01/05/1988 issued by Headmaster, Z. P. Primary School, Nandara, Ta. Chimur, Dist. Chandrapur on 10/09/1996, which shows his caste as Mana;

(c) Copy of school leaving certificate of father of the petitioner dated 01/05/1959 issued by Headmaster, Z. P. Primary School, Masala (B), Ta. Chimur, Dist. Chandrapur on 05/05/2016, in which his school entry shown 01/07/1952 and his caste as Mana;

(d) Copy of birth certificate of aunt of the petitioner namely Mira in which her father name mentioned as

Ragho Rama Mana and date of birth mentioned 28/12/1955;

(e) Copy of birth certificate of the father of the petitioner namely Gulab in which his father name mentioned as Ragho Rama Mana and date of birth mentioned 27/05/1953;

(f) Copy of birth register (Kotwal Panji) of the father of the petitioner namely Gulab in which his father name mentioned as Ragho Rama Mana and date of birth mentioned 27/05/1953;

(g) Copy of birth certificate of the aunt of the petitioner namely Barji in which his father name mentioned as Ragho Rama Mana and date of birth mentioned 18/09/1950;

(h) Copy of birth register (Kotwal Panji) of the aunt of the petitioner namely Barji in which his father name mentioned as Ragho Rama Mana and date of birth mentioned 18/09/1950;

(i) Copy of birth certificate of uncle of the petitioner in which his father name mentioned as Ragho Rama Mana and date of birth mentioned 19/02/1948;

(j) Copy of extract of Adhikar Abhilekh Panji of the year 1954-55.

4. From the abovesaid documents, the serial number (c), (g), (h) and (i) are the oldest entries showing thereby the Tribe of petitioner's forefathers as "Mana" Scheduled Tribe. In enquiry of

Vigilance Cell, no adverse entry is recorded about these documents. As such, same was required to be considered by Respondent No.2 – Committee, but same were discarded merely by stating that said documents cannot be relied upon definitely, and thereby rejected the Tribe claim of petitioner.

5. In the background of abovesaid factual position, in response to the notices issued by this Court, the respondent No.2 – Committee filed their affidavit-in-reply on 11/07/2025 and in Para No.12 of their affidavit stated as under :-

“12. It is submitted that, the genealogy and the document submitted with the proposal and the documents obtained by the Police Vigilance Cell during course of their enquiry are undisputed. No adverse entries are found in document. Therefore, the committee is ready to reconsider the caste claim of petitioner afresh.”

In the light of affidavit-in-reply filed by Respondent No.2 – Committee, it is clear that documents relied by petitioner are admitted to be true and correct. As such only conclusion can be drawn that Respondent No.2 – Committee, conceded that reasons recorded by them are not justified in the matter.

6. In addition, for our satisfaction, we have perused the entries recorded in old documents. The perusal of documents particularly of the entries of father, grand-father and aunt during

the period between 1948 to 1953 clearly shows the entry recorded as Mana. Hence, discarding these documents only by recording finding that Committee cannot certainly rely on them to hold that petitioner belongs to Mana Scheduled Tribe, according to us is prima facie illegal. Committee is expected to record reasons and cannot decide Tribe claim on assumption. Hence, petition deserves to be allowed and accordingly, we pass the following order :-

ORDER

- i] The writ petition is allowed.
- ii] The impugned order dated 20/07/2022 passed by the respondent No.2 – Scheduled Tribe Certificate Scrutiny Committee, Chandrapur is hereby quashed and set aside.
- iii] It is hereby declared that the petitioner has proved that he belongs to Tribe “Mana” Scheduled Tribe.
- iv] It is hereby directed that the respondent No.2 – Scheduled Tribe Certificate Scrutiny Committee, Chandrapur to issue Caste Validity Certificate as “Mana” Scheduled Tribe in favour of the petitioner within a period of four weeks.
- v] Rule is made absolute in above terms with no order as to costs.

[PRAVIN S. PATIL, J.]

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