



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

WRIT PETITION NO.6134 OF 2018
WITH
WRIT PETITION NO.7414 OF 2022

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WRIT PETITION NO.6134 OF 2018

Sainath s/o Laxman Ganjiwar,
Aged about 19 years, Occ: Student,
R/o At and Post Alapalli,
Tahsil Aheri, Dist. Gadchiroli-442703.

....PETITIONER

...V E R S U S...

1. State of Maharashtra, through
the Ministry of Tribal Development and
Social Justice Department, Mantralaya,
Mumbai-400 032.
2. Scheduled Tribe Caste Certificate
Scrutiny Committee, Gadchiroli,
Through its Deputy Director/
Member-Secretary.
3. Tirpude College of Hotel Management
and Catering Technology,
Civil Lines, Nagpur, through its Principal.

...RESPONDENTS

WITH

WRIT PETITION NO.7414 OF 2022

Ku. Saundarya D/o Laxman Ganjiwar,
Aged about 29 years, Occ: Service as Agriculture
Assistant, R/o Mannewar Colony,
Ward No.5, Bhamragad Road, Alapalli,
Taluka Aheri, Dist. Gadchiroli-442703.

....PETITIONER

...V E R S U S...

1. State of Maharashtra, through the Ministry of Tribal Development and Social Justice Department, Mantralaya, Mumbai-400 032..
2. Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli, Through its Deputy Director/ Member-Secretary.
3. Divisional Joint Director (Agriculture) Nagpur Division, Nagpur, Civil Lines, Nagpur.

...**RESPONDENTS**

Shri Narayan Phadnis, Advocate for petitioners.

Shri A.V. Palshikar, Assistant Government Pleader for respondents.

CORAM : SMT. M.S. JAWALKAR & M.W. CHANDWANI, JJ.

DATE : 08.12.2025

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

1. **Rule.** Rule made returnable forthwith. Heard finally with the consent of both the parties.

2. Since, both the petitions challenge the common order dated 25.04.2018 passed by the respondent no.2 – Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli (for short “**Committee**”) wherein, the caste claims of the petitioners were invalidated; therefore, both the petitions are being disposed of by this common judgment.

3. Both the petitioners claim to be belonging to ‘Mannewar’ which is a Scheduled Tribe enlisted at serial No.18

of the Constitution (Scheduled Tribes) Order, 1950.

4. The petitioner in Writ Petition No.6134 of 2018 is a student pursuing his education; whereas, the petitioner in Writ Petition No.7414 of 2022 is working as 'Agriculture Assistant' appointed on a post reserved for Scheduled Tribes with respondent no.3. Both the petitioners, after procuring the caste certificates of 'Mannewar' (Scheduled Tribe), submitted their caste claim before the respondent no.2- Committee for validation. Both of them relied on almost 59 documents showing that they belong to 'Mannewar' (Scheduled Tribe). However, when the matter was referred to the Vigilance Cell for enquiry, the Vigilance Cell found some documents showing that they belong to 'Mannepawar'. Relying on these contra entries, the caste claims of the petitioners were invalidated by the common impugned order which is challenged in the present writ petitions.

5. We have heard the learned counsel for the petitioners as well as the learned Assistant Government Pleader for respondent no.2- Committee. We have also gone through the record and proceedings of respondent no.2 – Committee.

6. It appears that the petitioners have relied on various

documents belonging to themselves as well as their forefathers. The oldest documents relied upon by the petitioners which belong to their forefathers are of the year 1925 which is a Kotwal Panji of one Ganji Buccha Mannewar, and of the year 1932 which is a school leaving certificate of one Vyankati Buccha. In both the documents, the caste is shown as 'Mannewar' (Scheduled Tribe) and there are other voluminous documents in addition to the above-mentioned documents which have been scrutinized by the respondent no.2 – Committee containing the caste entry as 'Mannewar' (Scheduled Tribe). However, relying solely on a single document of the year 1929 wherein, the caste of the forefather of the petitioners is referred as 'Mannepawar' the caste claims of the petitioners were rejected.

7. With the able assistance of the counsel for the petitioners, we have perused the decisions relied upon by them passed by this Court in Writ Petition No.8048 of 2018 (Satyanarayan S/o Sadwali Boge Vs. State of Maharashtra and others), in Writ Petition No.1212 of 2019 (Nikhil S/o Sanjay Bodewar Vs. State of Maharashtra) and in Writ Petition No.757 of 2010 (Premraj Ganesh Battul and others Vs. State of Maharashtra and others) wherein, it has been observed by this Court that there is no such caste named 'Mannepawar'.

8. The learned Assistant Government Pleader has fairly conceded that the present petitions are squarely covered by the decisions referred above.

9. In wake of this observation as well as the consistent entries of 'Mannewar' (Scheduled Tribe) in the voluminous documents as well as the pre-constitutional documents dated 1925 and 1932, we are of the opinion that respondent no.2-Committee was not justified in ignoring these consistent entries as well as the observations made by this Court in the abovesaid writ petitions. Therefore, the common impugned order passed by respondent no.2 – Committee does not stand to the reason and is liable to be set aside. Accordingly, we pass the following order:

10. The writ petitions are allowed.

11. The common impugned order dated 25.04.2018 passed by the respondent no.2 – Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli in Case Nos.सआ/अजप्रतस/गड/I/07/33/2016 and सआ/अजप्रतस/गड/I/454/33/2013 is hereby quashed and set aside.

12. It is hereby declared that the petitioners belong to 'Mannewar' Scheduled Tribe.

13. The respondent no.2– Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli is directed to issue the Validity Certificates to the petitioners within four weeks from the date of receipt of this order.

14. Rule is made absolute in the abovesaid terms. No order as to costs.

(M.W. CHANDWANI, J.)

(SMT. M.S. JAWALKAR, J.)

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