



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

MISC. CIVIL APPLICATION NO. 280 OF 2024

IN

WRIT PETITION NO. 5185 OF 2022(D)

(Scheduled Tribe Certificate Scrutiny Committee, Chandrapur, Thr. its
Deputy Director

Vs.

Shivani Sakharam Dhakate)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.R. Patil, AGP for the Applicant/State.

Mr. R.S. Parsodkar, Advocate for the Non-applicant.

**CORAM: AVINASH G. GHAROTE AND
URMILA JOSHI-PHALKE, JJ.**

DATED : 2nd MAY, 2025

1. Heard.

2. The Application seeks review of the judgment dated 01.09.2023, by which the validity has been granted to Shivani Sakharam Dhakate the Non-applicant, on the ground that the claim for validity by the father of Shivani namely Sakharam and so also Swapnil the first cousin of Shivani has been invalidated by the Committee on 25.03.2025. We however, find that the judgment sought to be reviewed is dated 01.09.2023 and the decision by the Committee is dated 25.03.2025, which is later in point of time. The Committee, however, in its decision dated 25.03.2025, which has been made available for our perusal at page 41, inspite of noting the decision dated 01.09.2023, which would be binding upon it, Considering the hierarchy, instead of following it, chooses to ignore it on the ground that an application for review has

been filed without even considering that the grounds which have been considered by the Committee regarding the entry in the name of Laxman Sakharam the great grandfather of the Petitioner dated 12.04.1904, has been considered by this Court in the judgment dated 01.09.2023 in para 8 and 10.

3. Such an act according to us amounts to a contumacious conduct of the Committee, on account of which, we take cognizance of the same and issue suo moto contempt notice to the Members of the Caste Scrutiny Committee, Chandrapur, returnable on **06.05.2025**.

4. Mr. Patil, learned AGP for the Applicant/State, to intimate the Members of the Caste Scrutiny Committee with regard to the said notice by all modes permissible in law at his disposal.

5. We also direct the Members of the Caste Scrutiny Committee to personally remain present in this Court, for the purpose of considering whether the charge of contempt is required to be framed against them, as we are coming across such instances of repeated defiance by the Committee of the judgment of this Court time and again and the Committee acting as if sitting as a Court of appeal over the judgment of this Court.

6. List the matter on **06.05.2025** for further consideration.

(URMILA JOSHI-PHALKE, J.)

(AVINASH G. GHAROTE, J.)