



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

WRIT PETITION NO. 7272 OF 2024

Shri Pawan Ishawar Dadmal,
age about 21, Occupation : Student,
At, Alizanja Po, Talodhi Naik,
Tah.Chimur, Dist.Chandrapur-442903
M.93733346323
Email. pawandadmal115@gmail.com

....PETITIONER

-Versus-

The Scheduled Tribe Certificate Scrutiny
Committee, Chandrapur,
Through its Member Secretary,
Tadoba Road, Tukum, Chandrapur.

....RESPONDENT

Mr. N.D.Jambhule, Adv. for the petitioner.
Mr. A.S.Fulzele, Addl.GP for the respondents-State.

CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.

DATE : 24TH JANUARY, 2025

ORAL JUDGMENT (PER: Avinash G. Gharote, J.)

Heard.

2. **Rule.** Rule made returnable forthwith. Heard finally with the consent of the learned counsel for the parties.

3. The petition questions the order dated 27/04/2022, passed by the Tribe Scrutiny Committee, Chandrapur whereby the claim of the petitioner of belonging to Mana Schedule Tribe has been rejected solely on the ground, that the petitioner though granted opportunity, did not produce documents

indicating his tribe claim earlier to 1950. The learned counsel for the petitioner invites our attention to the table in para-12 of the petition, which indicates documents from 1953, relating to the grandfather of the petitioner indicating he belonging to Mana Scheduled Tribe. This document or for that matter, the other documents as indicated in the table have not been considered at all while passing the impugned decision.

4. Mr.Fulzele, learned Additional Government Pleader for the respondent-State, does not dispute, that while considering the tribe claim of the petitioner not only documents prior to 1950, but all documents, which have a bearing, even if they are post 1950, having bearing upon the matter in issue need to be considered for deciding the tribe claim. This in our considered opinion is a correct and fair statement and indicates the manner in which the tribe claim has to be decided with weightage to be given to the oldest entries. In that view of the matter the impugned order dated 27/04/2022, cannot be sustained and is hereby quashed and set aside and the matter is remitted back to the Tribe Certificate Scrutiny Committee, Chandrapur for decision afresh by taking into consideration all documents which may be submitted by the petitioner in support of his tribe claim. The petitioner shall appear before the Committee on 03/02/2025 without any further notice being required to be issued. The record which was returned back to the petitioner should also be produced by him before the Committee on 03/02/2025.

5. Rule is made absolute in the above terms. No costs.

(ABHAY J. MANTRI,J)

(AVINASH G. GHAROTE, J)