



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

WRIT PETITION No. 7274 OF 2024

PETITIONER: : Ku. Sarita Vijay Ravel,
Age about 35 years,
Occupation:Service (Police Constable)
Near Buddha Vihar, Jagdish Nagar,
Gitti Khadan, Katol Road,
Nagpur - 440013

Vs.

RESPONDENTS : 1 The Scheduled Tribe Certificate
Scrutiny Committee, Nagpur Through
its Member Secretary, Giripeth,
Nagpur – 440 010

2 The Police Commissioner, Nagpur City
Nagpur, Civil Lines, Nagpur - 440001

Mr. N.D. Jambhule, Advocate for Petitioner
Mr. A.A. Madiwale, AGP for Respondent Nos.1 and 2

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

DATED : 28th FEBRUARY, 2025.

ORAL JUDGMENT (Per : AVINASH G. GHAROTE, J.)

1. Heard.

2. Rule. Rule made returnable forthwith.

The learned Assistant Government Pleader appears
for the respondent Nos.1 and 2.

3. The impugned order dated 05.12.2023, passed by the respondent - Committee indicates that the Committee has not decided the claim of the petitioner of belonging to “Kol Scheduled Tribe”, on its own merits, but has returned the application to the petitioner on account of not having submitted any evidence, in respect of the persons in the genealogical tree. In our considered opinion, once a claim is received by the Committee, it has no jurisdiction to return the claim back to the applicant, but is statutorily enjoined to decide it on merits in one way or the other. In case, the Committee does not find sufficient evidence and documents produced by the claimant / applicant to substantiate the claim, it has no other choice but to reject such claim, but in any case not to return back the application. The learned Assistant Government Pleader does not dispute this proposition. The impugned order dated 05.12.2023 (page 18), passed by the Committee is, therefore, quashed and set aside and the matter is remitted back to the

Committee for decision on merits in terms of the law applicable in one way or the other, within a period of eight weeks from today.

Rule is made absolute in above terms.

(ABHAY J. MANTRI,J.)

(AVINASH G. GHAROTE,J.)

MP Deshpande