



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

WRIT PETITION NO. 1888 OF 2024

Shri Ganesh Sunil Shukla,

Aged about 19 years, Occ. Student,

R/o. Chikli Gate, Murtizapur,

Tq. Murtizapur, Dist. Akola.

.... **PETITIONER**

// VERSUS //

1) **The State of Maharashtra**

Through its Principal Secretary,
Tribal Development Department,
Mantralaya, Mumbai – 32.

2) **The Scheduled Tribe Certificate
Scrutiny Committee, Amravati**

Division, Irwin Chowk, Amravati.

.... **RESPONDENTS**

Mr. A. I. Sheikh, Advocate for the Petitioner.

Mrs. D. I. Charlewar, Assistant Government Pleader for the
Respondents.

**CORAM : MRS. M. S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.**

DATE ON RESERVING THE JUDGMENT : 17.03.2026

DATE ON PRONOUNCING THE JUDGMENT : 18.04.2026

JUDGMENT : (Per – M. S. JAWALKAR, J.)

1. Heard. **Rule.** Rule is made returnable forthwith.

Matter is taken up for final hearing at the stage of admission by
consent and request of the parties.

2. The Petitioner, by this petition, is challenging the order dated 26/07/2023 passed by the Respondent No. 2 Caste Scrutiny Committee, Amravati, thereby invalidating the caste claim of the Petitioner to the 'Mannewar' Scheduled Tribe which is enlisted at Sr. No. 18 of the Scheduled Tribe Order, 1950.

3. The Petitioner is a student pursuing Diploma Course in Engineering at Government Polytechnic College, Murtizapur. The Petitioner obtained a Caste Certificate from Sub-Divisional Officer, Akola on 28/11/2020 and thereafter, the caste claim of the Petitioner was forwarded to the Respondent No. 2 Committee on 05/02/2021 along with all the relevant documents.

4. In support of his tribe claim, the Petitioner has submitted various documents. Among the documents submitted by the Petitioner, following documents are from pre-constitutional period :

Sr. No.	Description of Document	Caste	Date
1	Birth Certificate of Narayan Narsaiya Shukla	Mannewar	28/08/1934
2	Kotwal Book Extract of Prakash Narsaiya Shukla	Mannewar	29/04/1941
3	Birth Certificate of Prakash Narsaiya	Mannewar	29/04/1941

	Shukla		
4	Death Extract of Marsanna	Mannewar	31/10/1933

5. The Respondent No. 2 issued a show-cause notice dated 13/12/2022 and 22/12/2022 and asked the Petitioner to remain present for hearing, following which the Petitioner remained present for hearing on 23/12/2022. However, the Respondent Committee has invalidated the caste claim of the Petitioner on 26/07/2023.

6. The learned Counsel for the Petitioner relied upon the following Citations:

- (i) Writ Petition No. 2896/2024, Mr. Prathamesh S/o Vikram Banne vs. The Scheduled Tribe Certificate Scrutiny Committee, Amravati and Anr., dated 08/10/2025;
- (ii) Writ Petition No. 1889/2024, Shri Bhavesh Yashwant Banne vs. The State of Maharashtra & Anr., with connected matter, dated 18/02/2026;
- (iii) Writ Petition No. 1311/2012, Nitin S/o Ramesh Uprellu vs. The State of Maharashtra & Anr., dated 30/11/2012;
- (iv) Writ Petition No. 5119/2016, Manish S/o Bansidhar Panchgam vs. State of Maharashtra & Ors., dated 10/04/2017;
- (v) Lisha Digambar Dudhare vs. State of Maharashtra & Anr., 2017(4) Mh.L.J. 895;

- (vi) Writ Petition No. 124/2018, Shri Vinodkumar Ratanswami Batle vs. State of Maharashtra & Ors., with other connected matters, dated 25/09/2018;
- (vii) Suresh Kumar Balkrishna Naidu vs. State of Maharashtra & Anr., 2019(5) Mh.L.J. 572;
- (viii) Writ Petition No. 5728/2019, Ku. Arya D/o Mahendra Swami vs. The State of Maharashtra & Anr., dated 23/09/2019;
- (ix) Writ Petition No. 1989/2022, Ku. Madhuri Chandrakant Harshe vs. State of Maharashtra & Ors., dated 21/04/2022;
- (x) Writ Petition No. 7977/2017, Hemant s/o. Sudhir Channakeshala & Anr. Vs. The State of Maharashtra & Ors., dated 14/07/2022;
- (xi) Writ Petition No. 5423/2022, Kum. Yamini d/o Purushottam Tagrekar vs. State of Maharashtra & Anr., dated 07/09/2022 and
- (xii) Writ Petition No. 3697/2021, Shri Jagdish Ramanand Sayamwar vs. The State of Maharashtra & Anr., dated 08/09/2022.

7. *Per Contra*, the Vigilance Cell has procured following adverse pre-constitutional entries during the course of inquiry :

Sr. No.	Document Type	Name	Relationship with the petitioner	Caste	Date
1	School Record	Ratnam Papnanna	Cousin Grandfather	Telangi	27.06.1947
2	School Record	Prakashbabu Narsing	Cousin Great Grandfather	Telangi	23.06.1947
3	School Record	Shankar Pochhana S/o Malkaiyya	Cousin Cousin Grandfather	Telangi	---

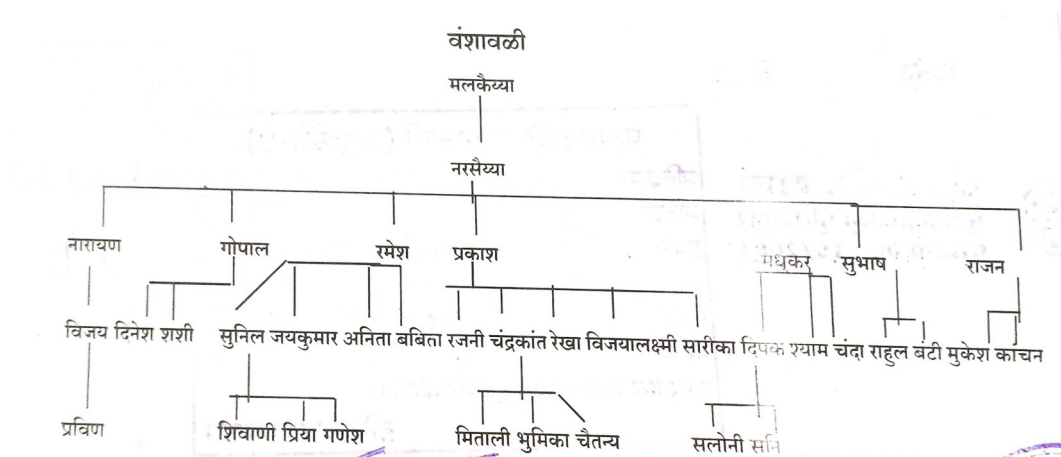
4	Birth Record	A male child born to Narsaiyya	Cousin Grandfather	Telgu	27.02.1948
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8. The Respondent Scrutiny Committee, in its reply contended that, there are certain documents submitted by the Petitioner itself which has entries of 'Telgu' in the caste column and not 'Mannewar'. Furthermore, it is also contended that the Petitioner has failed to establish Socio-Cultural Affinity with 'Mannewar' Schedule Tribe, and therefore the claim of the Petitioner deserves to be rejected.

9. The learned Assistant Government Pleader relied on **Writ Petition No. 8197/2022, Vaibhav s/o Premraj Bhandari vs. State of Maharashtra, dated 09/05/2024.**

10. Heard the respective Counsels for both the parties at length. Perused the record and proceedings with the assistance of the learned Assistant Government Pleader and relied upon the authorities in support of the arguments canvassed by both the parties.

11. To consider the relation between the Petitioner and his forefathers, the genealogical tree is reproduced as under:-



12. The Petitioner in support of his claim produced the Birth Certificate of Narayan Narsaiya Shukla, dated 28/08/1934, wherein the caste is shown as “Mannewar”. He also placed on record the extract from the Kotwal Book pertaining to Prakash Narsaiya Shukla, reflecting the caste entry as “Mannewar” dated 29/04/1941. Additionally, reliance was placed on the Birth Certificate of Prakash Narsaiya Shukla dated 29/04/1941, as well as the Death Extract of Marsanna, wherein the caste is recorded as “Mannewar” dated 31/10/1933. However, the Vigilance Cell procured certain inconsistent entries from the years 1947 and 1948, wherein the caste is recorded as “Telangi” and “Telgu.” On the basis of these discrepancies, the Petitioner’s claim was invalidated on the ground that he failed to establish his caste claim on the basis of documents as well as the

socio-cultural affinity and ethnic linkage with the 'Mannewar' Scheduled Tribe.

13. The learned Counsel for the Petitioner invited our attention to the Judgment of this Court in Writ Petition No. **1889 of 2024** (supra), wherein a similar view has been taken by relying on the decision in the case of ***Shri Anil Ramdas Mede v. State of Maharashtra, 2004 (4) ALL MR 639***, wherein this Court in paragraph 3 of the said judgment held as under :

"3. So far as the finding recorded by the Scrutiny Committee that there are confusing entries relating to the paternal side of the petitioner in the pre-constitutional documents, we are of the view that there is no confusion whatsoever in these entries. All these entries, particularly the entries of the dates of 10-7-1924 and 20-10-1934, clearly show that the paternal aunt and the cousin grandfather of the petitioner belonged to 'Manewar' community, which has been later on declared to be a Scheduled Tribe. In some other pre-constitutional documents, the ancestors of the petitioners have been shown to be 'Telangi' or 'Telgu Manewar' or 'Telgu'. It is well settled that 'Telangi' is the region of which the community 'Manewar' is native, while 'Telgu' is the language spoken by the community 'Manewar', now the Scheduled Tribe. A useful reference in this regard can be made to the view taken by this Court in the case of Shri Anil Ramdas Mede Vs. State of Maharashtra, reported in 2004(4) ALL MR 639. It then follows that all the pre-constitutional documents on which reliance has been placed by the

petitioner reasonably and sufficiently support the claim of the petitioner of his belonging to 'Manewar', Scheduled Tribe. This aspect of the matter, vital for determination of the issue involved in this case, has been completely ignored by the Scrutiny Committee and, therefore, the impugned order passed by the Committee is not sustainable in the eye of law."

14. The Learned Assistant Government Pleader placed reliance on the judgment of this Court in **Writ Petition No.8197/2022** (supra), wherein in para 14 it is held as under :

"14. On perusal of those four documents it is evident that some are the entries of the school record as well as from the record of the Municipal Council. The said entries pertain to the grandfather, paternal grandmother, father, and cousin grandfather of the petitioner. The entries pertain to cousin grandfather and paternal grandmother of the year 1940-1941 showing that they belong to the 'Telangi' caste. The entry of the year 1940 pertains to his grandfather showing that they belong to 'Te-Mannevar' and the entry pertains to his father of the year 1973 depicts that he belongs to the 'Hindu Telgu Mannewar' caste. In the family tree, the petitioner has not disputed the relationship of Kalavati i.e. paternal grandmother and his grandfather Balraj."

15. Having thoughtfully considered the submissions of both the learned Counsels, perused the material placed on record, and examined the legal positions as are emerging from the cited Judgments, we are of the considered opinion that the

Petitioner has produced credible and consistent pre-constitutional documents reflecting his caste as “Mannewar.” The subsequent entries indicating “Telangi” or “Telgu” appear to be contextual variations relating to region and language and for the said reason, it cannot be treated as sufficient enough to displace the probative value of the earlier and more reliable record.

16. The learned Counsel for the Petitioner relied on many Judgments, however, we do not see any reason to refer these Judgments in view of the Judgments referred above.

17. It is evident that the Scrutiny Committee while invalidating the claim of the Petitioner, has accorded disproportionate weight to these stray and inconsistent entries while overlooking the overall evidentiary material produced by the Petitioner and has also overlooked the settled legal position that old documents showing the caste of the Petitioner as “Mannewar” pertaining to 1933, 1934 and 1941 have greater probative value. The approach adopted by the Committee, while

deciding such claim is perverse, erroneous and contrary to the settled position of law.

18. In the backdrop of the eventuality, the impugned order cannot be sustained in the eyes of law and liable to be quashed and set aside. Accordingly we proceed to pass the following order :

ORDER

- (i) The Writ Petition is allowed.
- (ii) The impugned order dated 26/07/2023, passed by the Respondent No.2 - Scheduled Tribe Certificate Scrutiny Committee, Amravati in case No. सआ/अजप्रतस/अम/5/501/Edu/022021/181641 is hereby quashed and set aside.
- (iii) It is held and declared that the Petitioner is duly established that he belongs to “Mannewar” Scheduled Tribe.
- (iv) The Respondent No.2 - Scheduled Tribe Certificate Scrutiny Committee, Amravati is hereby directed to issue validity certificate of “**Mannewar**” Scheduled Tribe to the Petitioner within a period of three weeks.
- (v) The Petitioner can rely on this judgment till the certificate is issued in his favour for any purposes.

19. Rule is made absolute in the above terms. No order as to costs. Pending application(s), if any, stand(s) disposed of.

(NANDESH S. DESHPANDE, J.)

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

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