

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

WRIT PETITION NO. 604/2023

(ADITI LAXMIKANT NANNORE **VERSUS** THE S.T. CERTIFICATE SCRUTINY COMMITTEE, AMRAVATI)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri N.D. Jambhule, counsel for the petitioner.
Shri A.S. Fulzele, Additional Government Pleader for the respondent.

CORAM : SUNIL B. SHUKRE AND M.W. CHANDWANI, JJ.

DATE : MARCH 01, 2023.

The learned Additional Government Pleader submits that some time be granted to the respondent-Scrutiny Committee for filing of reply and production of the record.

Further time of three weeks is granted.

The learned counsel for the petitioner, however, prays for grant of an interim relief contending that if the impugned order of invalidation of the tribe certificate of the petitioner is stayed, the petitioner would be in a position to apply for securing admission in suitable courses. He further submits that the Scrutiny Committee wrongly laid stress upon the judgment of the Co-ordinate Bench of this Court in the case of *Priya Pramod Gajbe Versus State of Maharashtra & Others* [Writ Petition No. 996 of 2018] and has ignored completely the law settled by another Bench of this Court in the case of *Gitesh Narendra Ghormare Versus Scheduled Tribe Certificate Scrutiny Committee, Nagpur & Others* [2018 (4) Mh.L.J. 933] wherein, the Bench held that it is of no significance that the community is described as 'Mana', 'Mani', 'Mane' or 'Mannya' and the entries have to be treated as that of 'Mana'. He also submits that the case of *Gitesh Narendra Ghormare* (supra) supports the tribe claim of the petitioner as there is an entry of the year 1926 showing great-grandfather of the petitioner as belonging to 'Mani' community, now a Scheduled Tribe.

Having regard to the submissions made on behalf of the petitioner, we are of the view that *prima-facie* case has been made out by the petitioner for grant of interim relief and accordingly, the effect and operation of the impugned order is stayed until further orders.

Stand over three weeks.

(M.W. CHANDWANI, J.)

(SUNIL B. SHUKRE, J.)

APTE