



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

WRIT PETITION NO.2739 OF 2022

Raju S/o Samundar Gudmewad, R/o Bholapathar, Tah. Jiwati, Dist. Chandrapur

-vs-

Joint Commissioner & Vice Chairman, Scheduled Tribe Caste Certificate Scrutiny Committee,  
Gadchiroli, and anr.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri S. R. Narnaware, Advocate for petitioner.  
Shri H. R. Dhumale, Assistant Government Pleader for respondents.

**CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.**

**DATE : June 18, 2024**

1. Heard.
2. The challenge in the petition is to the order dated 08/02/2022 whereby the petitioner's claim as that of belonging to 'Koli-Mahadev' Scheduled Tribe came to be rejected.
3. Shri S. R. Narnaware, learned counsel for the petitioner would invite our attention to the validity granted in favour of paternal aunt of the petitioner viz. Saraswati daughter of Madhavrao Gudmewad on 04/07/2008. According to him while rejecting the claim of the petitioner, the Committee has not recorded any reasons. He would claim that the Committee in such an eventuality ought to have dealt with said validity certificate issued to Saraswati, paternal aunt of the petitioner.
4. Apart from above, the learned counsel would claim that the other relatives of the petitioner are already have entries of 'Koli-Mahadev' in their respective records but for few entries of 'Koli'.
5. In this background he would claim that not only the law laid down by the Division Bench of this Court in the matter of *Apoorva Vinay Nichale vs. Divisional Commissioner Caste Scrutiny Committee-I (2010) 6 Mh.L.J. 401* will be attracted but also the issue is squarely

covered by the judgment dated 14/03/2024 delivered in Writ Petition No.4906/21 (*Rajwardhan S/o Ishwardas Metekar vs. State of Maharashtra and ors.*).

6. In this background we posed a query to the learned Assistant Government Pleader as to whether the Scrutiny Committee has taken any steps in the matter of grant of validity certificate in favour of Saraswati daughter of Madhavrao Gudmewad. The learned Assistant Government Pleader submitted that he shall be producing record in relation to grant of validity in Saraswati's case by 09/07/2024.

7. Stand over to 09/07/2024.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)