



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

WRIT PETITION NO.3982/2018

Santosh s/o Ramji Kavale Vs. The Scheduled Tribe Caste Certificate Scrutiny Committee and another

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

Court's or Judge's order

Mr. P.S.Wathore, Advocate for petitioner.
Mr. J.Y.Ghurde, AGP for respondent no.1.
Mr.R.E.Moharir, Advocate for respondent no.2.

CORAM : NITIN W. SAMBRE & ABHAY J. MANTRI, JJ.

DATE : SEPTEMBER 05, 2024.

Heard.

2. In the petition, the order impugned is dated 11th May, 2018 whereby the petitioner, a public servant, claiming to be belonging to 'Binjwar' scheduled tribe category served an order of invalidation passed by the respondent-Committee.

3. The Committee while passing the order impugned was sensitive to the fact that the petitioner holds three synonyms caste certificates dated 1st July, 1997, 29th December, 2014 issued by Sub Divisional Officer, Deori and 13^h February, 2018, original of which was not produced by the petitioner before the Committee in this case.

4. This Court, having regard to the merits of the matter had granted interim relief, as a sequel of which, the services of the petitioner stood protected.

5. We are informed by the Assistant Government Pleader Mr. Ghurde that the petitioner again approached before the Committee for issuance

of validity certificate by obtaining fresh caste certificate and got validity issued from the Gondiya Committee.

6. The aforesaid factual matrix is not disputed by the petitioner.
7. Mr. Wathore, learned counsel appearing for the petitioner, submits that he is filing an application for bringing on record the proceedings taken out by the respondent-Committee for cancellation of validity which was issued based on the fresh caste certificate got issued by the petitioner in his favour during pendency of the petition. The validity is informed to have reissued to the petitioner, in view of the validity granted in favour of his real sister, a blood relation.
8. As such, we permit the petitioner to move an appropriate application/affidavit as so desired to be placed on record within one week.
9. Stand over to 26th September, 2024 for further consideration, as the Assistant Government Pleader assures that the record in relation to the validity granted in favour of sister of the petitioner by the Gondiya Committee and also that of the record in relation to the impugned order in the petition shall be produced.
10. The matter is detagged with other matters.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)