



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

**WRIT PETITION NO. 8369 OF 2022**

Ku. Vasudha Rambhau Ingale,  
aged about 25 years, Occ. Student,  
R/o. At Post Chatari, Taluka Umarkhed,  
District Yavatmal

**.....PETITIONER**

**...V E R S U S...**

1. The State of Maharashtra,  
through its Secretary,  
Tribal Welfare Department,  
Mantralaya, Mumbai 32.

2. The Tribal Development Department,  
through its Chairman/Members/Secretary,  
Near Govt. Circuit House, in front of  
State Information Commission,  
Sena House, Chaprasipura,  
Amravati,

3. The Assistant Principal,  
Nagpur Veterinary College,  
Seminary Hills,  
Nagpur 440 006,

4. Maharashtra Animal and Fishery  
Sciences University, Futala Lake Road,  
Nagpur 440 001

5. Scheduled Tribe Caste Certificate  
Scrutiny Committee, Amravati,  
through its Chairman/members/Secretary,  
Near Govt. Circuit House, in front of  
State Information Commission,  
Sena House, Chaprasipura,  
Amravati

**.... RESPONDENTS**

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Mr. S.D. Khati, counsel for the petitioner,  
Mr. S.M. Ghodeswar, AGP for respondent Nos. 1,2&5/State,  
Mr. P.A. Jibhkate, counsel for respondent Nos. 3 & 4.  
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**CORAM:- NITIN W. SAMBRE &**  
**ABHAY J. MANTRI, JJ.**  
**DATE : 23.04.2024**

**JUDGMENT** : (Per: Abhay J. Mantri, J.)

Rule. Rule is made returnable forthwith. Heard finally  
with the consent of the parties.

2. The challenge is to the order dated 24.01.2022, passed by  
respondent No. 5 Scheduled Tribe Caste Certificate Scrutiny  
Committee, Amravati ( for short-“*the Committee*”), whereby the  
tribe claim of the petitioner that she belongs to ‘*Thakur*’ Scheduled  
Tribe along with three blood relatives, came to be negated by a  
common order.

3. The petitioner claimed that she belongs to the Thakur  
Scheduled Tribe. Accordingly, Sub Divisional Officer, Umarkhed has  
issued a caste certificate in her favour. The petitioner, while pursuing  
her studies in N.K. Gokhale, Higher Secondary School of Science,  
Akola, submitted a proposal on 26/27.08.2015 along with all

necessary documents to the Committee for verification of her caste through the said School. However, the Committee vide order dated 29.08.2016 has rejected the claim of the petitioner on the ground that she has not submitted the caste certificate in Form C under Rules 4(6) and 5(2)(a) and (b) under the Maharashtra Scheduled Tribes (Regulation of Issuance and Verification of) Certificate Rules, 2003.

4. The petitioner had challenged said order before this Court in Writ Petition No. 5951/2017. This Court, vide order dated 14.08.2019, quashed and set aside the order of the Committee and remanded the matter back to the Committee, for deciding the claim of the petitioner, afresh.

5. The petitioner along with her real brother Yashwant and two other blood relatives namely Gajanan and Nilesh submitted necessary documents before the committee in support of their claim that they belong to the '*Thakur*' Scheduled Tribe. The Committee, being dissatisfied with the documents, forwarded the same to the Vigilance Cell for detailed enquiry. The Vigilance Cell conducted the enquiry and submitted its report on 28.09.2021 to the Committee.

6. As a sequel of the above, the petitioner and her two blood relatives were served with a notice dated 04.10.2021 by the Committee calling upon them to explain the discrepancies above. Pursuant to the notice, the petitioner, her real brother, and the two blood relatives have submitted their explanation to the Committee. The petitioner through her father Rambhau appeared before the Committee and submitted the necessary documents.

7. The Committee, considering the Vigilance Cell report, on the evaluation of material placed on record, vide order dated 24.01.2022 invalidated the claim of the petitioner and her three blood relatives that they belong to '*Thakur*' Scheduled Tribe, hence, this petition.

8. Mr. Wankhede, learned counsel for the petitioner submitted that this Court while considering the claim of Gajanan, Nilesh the blood relatives of the petitioner in Writ Petition Nos. 756/2022 and 6845/2022 as well as Yashwant real brother of the petitioner in W.P. No. 4298/2022 has set aside the order impugned and directed the Committee to issue validity certificates in their favour. He produced the copy of said order on record and submitted

that in view of the same, the petitioner is entitled to the relief as prayed. Learned AGP Mr. S.M. Ghodeswar has not disputed the said fact and submitted it to the order of the Court.

9. We have appreciated the submissions canvased by learned counsel for the parties, gone through the judgment in Writ Petition No. 756/2022 with two connected petitions, and gone through the order impugned and the documents on record.

10. It is pertinent to note that the petitioner, her real brother Yashvant, and two other blood relatives Gajanan and Nilesh have filed their claims before the Committee. The Committee by common order has decided their claims. It further appears that the petitioner's real brother Yashvant and two blood relatives, Gajanan and Nilesh, who were party to the impugned order, have preferred Writ Petition Nos. 756/2022, 4298/2022, and 6845/2022 before this Court. After scrutinizing the material on record, this Court vides common Judgment dated 12.03.2024 has quashed set aside the impugned order and directed the Committee to issue validity certificates in favour of these three petitioners i.e. blood relatives of the petitioner. The present petition also arises out of the said order. As such, in our

view, the common judgment passed in those three petitions is squarely applicable to the case at hand. In view of the Judgment and order dated 12.03.2024, the petitioner is entitled to the relief as prayed.

11. Thus, we deem it appropriate to allow this petition, since vide Judgment dated 12.03.2024 in W.P. No. 756/2022, this Court, after appreciating and analyzing the documents placed before it as well as considering the legal provisions and authorities, quashed and set aside the impugned order. Having considered the directions therein and the law laid down in the case of ***Apoorva d/o.Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No. 1 and Others*** reported in ***[2010(6)Mh.L.J.401]***, the petitioner is also entitled to the tribe claim as prayed.

12. In view of the above, we proceed to pass the following order:

i) In view of the Judgment dated 12/03/2024 in W.P. No. 756/2022 with connected two writ petitions the impugned order dated 24.01.2022, passed by respondent No. 5 – Committee does not survive, as same is already quashed and set aside.

ii) It is hereby declared that the petitioner belongs to '*Thakur*' Scheduled Caste.

iii) Respondent No. 5 Committee is directed to issue a validity certificate in favour of the petitioner that she belongs to the '*Thakur*' Scheduled Tribe within a period of four weeks from the date of production of this order.

iv) Respondents No. 3 and 4 are directed to declare the result of the petitioner for the final year B.V, Sc. and A.H. Course (Veterinary Course), if not declared.

13. Pending application, if any, stands disposed of.

14. Rule is made absolute in the above terms with no order as to costs.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Belkhede