



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
WRIT PETITION NO. 285 OF 2023

(Mr. Prathmesh S/o Ramesh Dadmal

Vs.

Deputy Director & Member Secretary, The Scheduled Tribe Certificate
Scrutiny Committee, Yavatmal)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Ananta Ramteke, Advocate for the Petitioner.

Mr. I.J. Damle, AGP for the Respondent/State.

**CORAM: AVINASH G. GHAROTE AND
M.W. CHANDWANI, JJ.**

DATED : 6th AUGUST, 2024

Heard.

2. Mr. Damle, learned AGP for the Respondent/State, does not dispute that the Petitioner is the son of Ramesh Nagorao Dadmal and the brother of Rushikesh son of Ramesh Dadmal, both of whom have been granted validity by the learned Division Bench of this Court in Writ Petition Nos.5284/2018 and 5285/2018 decided on 25.02.2020 (page 56), in spite of which the Committee, in violation to the rules framed in that regard has entered into an exercise to determine the validity, by ignoring the judgment of this Court, as if it is sitting in appeal against the judgment of this Court. Such action by the Committee cannot be countenanced. We are of the view, that exemplary costs should be imposed upon the Committee for ignoring the judgment of the learned Division Bench in Writ Petition Nos.5284/2018 and 5285/2018 and so also the rules framed

in that regard, however only at the request of Mr. Damle, learned AGP for the Respondent/State, as an exceptional case, we are refraining from imposing costs with the clear direction, that in case we find any other order passed by this Committee contrary to what has been stated above, we will not hesitate in imposing costs and passing strictures.

3. Since the relationship between the Petitioner and Ramesh Nagorao Dadmal being his father as well as Rushikesh son of Ramesh Dadmal being his brother, is not disputed, what has been held by the learned Division Bench in Writ Petition Nos.5284/2018 and 5285/2018 decided on 25.02.2020 shall hold the field, in view of which, the impugned order dated 01.04.2022 (page 23) passed by the Scrutiny Committee clearly appears to be the result of a witch hunt, which cannot be sustained and is hereby quashed and set aside and the Committee is directed to grant an appropriate Scheduled Tribe Validity Certificate to the Petitioner by 09.08.2024.

4. The Petition is accordingly **allowed** in the above terms.

5. Pending application/s, if any, shall stand disposed of accordingly.

(M.W. CHANDWANI, J.)

(AVINASH G. GHAROTE, J.)

SD. Bhimte