

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

WRIT PETITION NO. 2554/2018

Pranita D/o Gowardhan Nannaware

..VS..

State of Maharashtra & ors.

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

Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI AND

Z.A.HAQ, JJ.

DATED : 06/08/2018

1] Heard Advocate Dhok for petitioner and Shri N.R. Patil, learned AGP for respondent nos. 1 to 4 and 6 to 8.

2] This Court has already protected education of petitioner by interim order dated 27/04/2018.

3] Submission of Advocate Dhok is all documents of petitioner mention caste as "Mana" only. Because of some apprehension, applying affinity caste claim has been invalidated. He submits that there are validities given to father and brother already.

4] Learned AGP adds that validity is to give father and brother are without any vigilance enquiry.

5] In the face of validities, burden was upon respondents to show that validities should not have been relied upon. Vigilance cell, in the present, matter has not come across any other entry except Mana. In this situation, validities given could not have been lightly discarded.

6] Oldest document in case of petitioner is of year 1922-1924 where caste of great grand father Sakharam S/o Kondu Mana is found to be recorded as Mana. This document is not found to be fabricated.

7] In this situation, in the wake of validities mentioned supra and this material, we are not in position to sustain the order dated 13/04/2018. It is accordingly quashed and set aside. The committee is directed to give validity to petitioner as Mana ST.

8] Petition is thus allowed and disposed of. No costs.

JUDGE

JUDGE

Ansari