

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.4433 OF 2009
ALONGWITH
CIVIL APPLICATION NO.843 OF 2017**

Kum. Tejaswita Suresh Salunke	..Petitioner
Versus	
State of Maharashtra and others	..Respondents

**Mr. R. K. Mendadkar a/w Ms. Komal Gaikwad for the Petitioner.
Mr. C. P. Yadav, AGP for the Respondent Nos.1 to 3 & 5.**

**CORAM : B. R. GAVAI &
SANDEEP K. SHINDE, JJ.
DATE : 9th OCTOBER, 2017**

PC.

- 1] Rule. Rule made returnable forthwith. Heard by consent.
- 2] The Petitioner has approached this Court being aggrieved by the order passed by the Scrutiny Committee dated 20th February 2009, thereby invalidating the claim of the Petitioner belonging to “Thakar” Scheduled Tribe. The Petitioner claiming to be belonging to “Thakar” Scheduled Tribe by applying to the Scrutiny Committee for grant of validity. However, the same is rejected. It is pertinent to note that prior to considering the case of the Petitioner, the Scrutiny Committee has already considered the claim of the Petitioner's father namely Suresh Jagannath Salunke and has granted validity to him by order dated 9th December

2003 as also to the Petitioner's father's real brother Umesh Jagannath Salunke has already been granted validity certificate on 6th December 2000.

3] The issue is no more res-integra. In *Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee and others*¹ has held that if blood relatives of the candidate have been granted validity, the other blood relatives has to be granted validity.

4] In that view of the matter, the Petition deserves to be allowed on the short ground. The impugned order is quashed and set aside. It is held and declared that the Petitioner is belonging to “Thakar” Scheduled Tribe. The Scrutiny Committee is directed to issue validity certificate in favour of the Petitioner within a period of four weeks from today.

5] The Civil Application is disposed of.

[SANDEEP K. SHINDE, J]

[B. R. GAVAI, J]

¹ 2010(6) Mh.L.J. 401.