

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6427 OF 2018

Dilip Nyanadeo Gaikwad	.. Petitioner
Vs.	
State of Maharashtra and ors.	.. Respondents

Mr.R.K.Mendadkar a/w Ms.Priyanka Shaw, for the Petitioner.
Mr.B.V. Samant, AGP for State – Respondents No. 1 to 4.

**CORAM : R.M.SAVANT &
M.S.KARNIK, JJ.
DATE : 27st SEPTEMBER, 2018**

P.C. :

. The above Writ Petition takes exception to the order dated 30/05/2018 passed by the Scheduled Tribe Scrutiny Committee, Nashik by which order the caste certificate of the Petitioner as belonging to Thakar, Scheduled Tribe came to be invalidated.

2. Insofar as the said order dated 30/05/2018 is concerned, it is a common order passed in respect of the

Petitioner, Petitioner's brother - Sandip Dnyandev Gaikwad and
Petitioner's daughter - Shweta Dilip Gaikwad.

3. Insofar as the Petitioner's daughter is concerned, she had filed Writ Petition No. 7544 of 2018 in this Court. By order dated 18/07/2018, a Division Bench of this Court (Coram : S.C.Dharmadhikari & Smt.Bharati H. Dangre, JJ.) allowed the said Writ Petition by relying upon the order dated 22/12/2017 passed by another Division Bench in Writ Petition No. 7 of 2007 in the matter of **Motilal S/o Namdeo Pawar Vs. Scheduled Tribe Certificate Scrutiny Committee, Nashik & ors.**

4. Insofar as the Petitioner's brother - Sandip Dnyandev Gaikwad is concerned, he had filed Writ Petition No.6752 of 2018 which Writ Petition came to be allowed by another Division Bench of this Court (Coram : Shantanu Kemkar and Sarang V. Kotwal, JJ.) by order dated 23/08/2018. The said Division Bench also relied upon the order passed by the Division Bench in Writ Petition No. 7 of 2017 i.e. in **Motilal S/o**

Namdeo Pawar (*supra*) as also the order passed in Writ Petition No. 7544 of 2018 i.e. the order passed in Shweta Gaikwad's case (*supra*).

5. Since as indicated above the order dated 30/05/2018 passed by the Scheduled Tribe Scrutiny Committee above is a common order, in view of the fact that the Petitions filed by the Petitioner's brother and daughter have already been allowed, the above Petition is also required to be allowed and is accordingly allowed in terms of prayer clause (a).

6. The Scheduled Tribe Scrutiny Committee is accordingly directed to issue caste validity certificate to the Petitioner within 8 weeks from date.

(M.S.KARNIK, J.)

(R.M.SAVANT, J.)