

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.4899 OF 2012

Dilip s/o Nagnath Pawar

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr A.S. Golegaonkar, Advocate for petitioner

Mr S.B. Narwade, A.G.P. for respondents no.1 to 3

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 11.10.2019

ORAL ORDER :

1. Mr Golegaonkar, learned Counsel for the petitioner submits that the tribe claim of the real brother the petitioner Kishor s/o Nagnath Pawar was invalidated and on the same date, tribe claim of the present petitioner was also invalidated. The real brother of petitioner Kishor s/o Nagnath Pawar had filed Writ Petition no.4439 of 2012 challenging the order of the Scrutiny Committee. This Court vide judgment and order dated 22.4.2019 allowed Writ Petition No.4439 of 2012 and directed the Committee to grant validity certificate to the real brother of the petitioner Kishor s/o Nagnath Pawar of Thakar - Scheduled Tribe. Learned Counsel for the petitioner submits that the reasons mentioned for rejection of the tribe claim of the petitioner by the Committee are also the same.

2. We have also heard the learned A.G.P..

3. Under the orders passed on the same date i.e. 2.4.2012, the tribe claim of Kishor s/o Nagnath Pawar and the present petitioner

Deelip s/o Nagnath Pawar were invalidated. The Writ Petition filed by real brother of the petitioner - Kishor s/o Nagnath Pawar bearing Writ Petition No.4439 of 2012 has been allowed by this Court under judgment dated 22.4.2019.

4. No other view would be possible to be taken in the case of present petitioner.

5. For the reasons recorded in the judgment dated 22.4.2019 in Writ Petition no.4439 of 2012, filed by the real brother of the petitioner Kishor s/o Nagnath Pawar, the present Writ Petition is also allowed. The impugned judgment dated 2.4.2012 is quashed and set aside. The Committee shall issue validity certificate to the petitioner of Thakar - Scheduled Tribe within four weeks from today.

6. Writ Petition is accordingly disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)

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