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

**WRIT PETITION NO.4829 OF 2017
(Modified as per order dated 8/4/2019)**

Ramesh Nana Morajkar	..Petitioner
Versus	
State of Maharashtra and others	..Respondents

**WITH
WRIT PETITION NO.6185 OF 2018**

Sagar S/o Arjun Thakur	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**WITH
WRIT PETITION NO.6186 OF 2018**

Kashiram S/o Arjun Thakur	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**WITH
WRIT PETITION NO.4649 OF 2015**

Surendra Bhagwan Morajkar	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**WITH
WRIT PETITION NO.6842 OF 2015**

Prafulla Vitthal Thakur	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

WITH
CIVIL APPLICATION NO.3201 OF 2015
IN
WRIT PETITION NO.6842 OF 2015

Prafulla Vitthal Thakur ..Applicant
Versus
The State of Maharashtra and others ..Respondents

WITH
WRIT PETITION NO.7643 OF 2015

Yogesh Shantaram More ..Petitioner
Versus
State of Maharashtra and another ..Respondents

Mr. Sushant C. Yeramwar, Advocate for the Petitioners in all the Writ Petitions & for Applicant in Civil Application.
Mr. P. G. Sawant, AGP for Respondent – State in all the Writ Petitions and Civil Application.

**CORAM: B. R. GAVAI &
N. J. JAMADAR, JJ.**

DATE: 25th FEBRUARY, 2019

ORAL JUDGMENT: (Per B.R. Gavai, J.)

- 1] Rule. Rule is made returnable forthwith. Petitions are taken up for final hearing.
- 2] All these Writ Petitions impugn the orders passed by

Respondent – Scrutiny Committee, thereby invalidating the claim of the Petitioners of belonging to Thakar Scheduled Tribe. Admittedly, all the Petitioners are members of one family.

3] It is the contention of the Petitioners that their blood relatives have been subsequently granted validity certificates. For a change, the Respondent – Scrutiny Committee, in its affidavit, has come with a reasonable stand. It is stated in the affidavit that in view of validity certificates having been subsequently granted in favour of the Petitioner's blood relatives, the Committee is willing to reconsider the issue.

4] In that view of the matter, Petitions are partly allowed. The impugned orders are quashed and set aside and the matters are remitted to the Respondent – Scrutiny Committee for deciding afresh in the light of the validity certificates granted in favour of the blood relatives of the Petitioners. **The Respondent – Scrutiny Committee shall decide the matter on remand within a period of three months from the date of uploading of the order.** Interim

protection, which has been granted in favour of the Petitioners by this court on earlier occasions, shall stand continue till decision of the Committee and, in the event, decision of the Committee is adverse to the interest of the Petitioners, for further period of three weeks from the date of receipt of the communication of the order passed by the Scrutiny Committee.

5] Rule is made absolute in the aforesaid terms.

6] Since Writ Petitions are partly allowed and disposed in the aforesaid terms, Civil Application No.3201 of 2015 taken out in Writ Petition No.6842 of 2015 does not survive and the same is also disposed of.

(N. J. JAMADAR, J.)

(B. R. GAVAI, J.)