

Saiprasad Subhash Ahire	}	Petitioner
versus		
State of Maharashtra and Ors.	}	Respondents

Ms.A.A.Puray-AGP for State.

DATED :- AUGUST 9, 2019

1. For the reasons above, the following order is passed:-
2. The writ petition succeeds. The order passed by the Scheduled Tribe Certificate Scrutiny Committee, Nashik dated 3rd August, 2019 is quashed and set aside.
3. The petitioner be granted a certificate of validity on par with his father Subhash Ahire. The certificate be issued latest by 10th August, 2019 before 3.00 p.m. Should the certificate and formal in nature be not drawn up, the petitioner shall be considered for admission in the second year Engineering Degree course in the ongoing admission process on the basis of our order,

which validates the claim of the petitioner. The petitioner be held to be belonging to Thakur Scheduled Tribe vide Entry No. 44 of the Scheduled Tribe Control Order, 1950. However, this is subject to the re-scrutiny and re-verification of the claim of Subhash Ahire, the father of the petitioner to whom a show cause notice has been issued by the Scrutiny Committee. Should his certificate get invalidated, the petitioner then will be visited with all consequences under the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes(Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2001. No equities can be claimed if the certificate is confiscated and cancelled.

4. All concerned to act upon an authenticated copy of this order.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)