

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10287 OF 2018

Chetan Mahadev Thakar

.... Petitioner

Vs.

State of Maharashtra & Others

.... Respondents

Mr. R.K. Mendadkar for the Petitioner.

Mr. B.V. Samant, AGP, for the Respondents.

CORAM: S.C. DHARMADHIKARI &
R.I. CHAGLA, JJ.

DATE : NOVEMBER 18, 2019

P.C:

1. Mr. Mendadkar, appearing for the petitioner, says that the petitioner had, in support of his claim, relied upon the Caste Validity Certificate issued in favour of Vishnu Rajaram Thakar. The petitioner before us is claiming to be a son of one Mahadeo Rajaram Thakar. Mahadeo was one of the sons of the common ancestor Sakharam Tukaram Thakar, in the branch of Rajaram, who is the grandfather of the petitioner. The other son of Rajaram, Vishnu, had one daughter Sneha and one son Saurabh.

2. The petitioner's father is Mahadeo, who is another son of Rajaram and the petitioner has one brother Aniket. Thus, Mahadeo had two sons, the petitioner and Aniket, and his real

brother had one daughter and one son. Sneha Vishnu Thakar moved a writ petition in this Court being Civil Writ Petition No.5824 of 2018. That was allowed on 15-6-2018 and a Certificate of Validity was directed to be issued in favour of Sneha. She is the first cousin of the petitioner on the paternal side. In the circumstances, the learned AGP does not dispute that the benefit of the Judgment and Order in the case of Sneha can be taken and availed of by the petitioner. In such circumstances, on the same terms and conditions on which Sneha was issued the Caste Validity Certificate certifying her as Thakar, a Certificate of Validity be issued to the petitioner within two (2) weeks from the date of communication of this Order. The writ petition is allowed in these terms. There will be no order as to costs.

3. Needless to clarify that the Order impugned in the writ petition stands quashed and set aside.

(R.I. CHAGLA, J.)

(S.C. DHARMADHIKARI, J.)