

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

WRIT PETITION NO. 702 OF 2021

Shaikh Fazalur Rahman Mohd. Asafaque

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner

Mr P.S. Patil, Addl.G.P. for respondent-State

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 15th January 2021

PER COURT :

1. The caste claim of the petitioner as Tadvi - Scheduled Tribe is invalidated.
2. We have heard the learned Advocate for the petitioner and learned Additional Govt. Pleader for the respondent-State.
3. It is not disputed that real sister of the petitioner Kum.Masheera Parvin daughter of Ashfaque Shaikh had also applied for issuance of validity certificate of Tadvi - Scheduled Tribe. The said claim was invalidated. She filed Writ Petition bearing No. 5641 of 2020 before this Court. This Court under judgment and order dated 9.10.2020 allowed the said Writ Petition and directed the Committee to grant validity certificate to Kum. Masheera Parvin, real sister of the petitioner of Tadvi - Scheduled Tribe.
4. The relationship is not disputed. For the reasons recorded in the judgment and order dated 9.10.2020 in Writ Petition no. 5641 of 2020, we pass the same order:

5. The impugned judgment and order is quashed and set aside.
6. The Committee shall issue validity certificate to the petitioner of Tadvi - Scheduled Tribe.
7. In case the judgment of this Court in Writ Petition no. 430 of 1992 dated 11.9.1992 and in Writ Petition No.5183 of 2012 dated 3.5.2014 are reviewed, then the respondents may proceed against the petitioner in accordance with law.
8. Writ Petition is accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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