

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3450 OF 2020

Shaikh Abdul Aziz S/o Abdul Hakim Tadvī ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr S.R. Thorat, Advocate for Petitioner

Mr P.K. Lakhotiya, AGP for Respondent Nos. 1 and 2

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

DATE : 19th MARCH, 2021

PER COURT :

1. The caste claim of the petitioner as Tadvī, Scheduled Tribe is invalidated.
2. We have heard the learned counsel for the petitioner and the learned Assistant Government Pleader.
3. The caste claim of the petitioner as Tadvī, Scheduled Tribe is invalidated under the common judgment dated 18.02.2020 delivered in case of one Kum. Maseera Parvin d/o Mohd. Ashfaque Shaikh, Kum. Saba d/o Mohd. Azaz Shaikh, Kum. Irfanabano Abdul Majid Shaikh and the petitioner. Against the said common judgment, Kum. Maseera Parvin d/o Mohd. Ashfaque Shaikh, Kum. Saba d/o Mohd. Azaz Shaikh filed writ petition bearing No. 5641/2020 before this Court and this Court under judgment and order dated 9th October, 2020 allowed the writ petition

No. 5641 of 2020. The petitioner herein and the petitioner in writ petition No. 5641/2020 are related to each other and for that reason, the Committee had decided their caste claim by common judgment.

4. The same view would be applicable in the present writ petition.

5. For the reasons recorded in the judgment dated 9th October, 2020 in writ petition No. 5641/2020 filed by Kum. Maseera Parvin d/o Mohd. Ashfaque Shaikh and Kum. Saba d/o Mohd. Azaz Shaikh, we pass the following order:-

O R D E R

- (i) The impugned judgment and order is quashed and set aside.
- (ii) The Committee shall issue validity certificates to the petitioner of Tadvī Scheduled Tribe.
- (iii) In case, the judgment of this Court, in writ petition No. 430/1992 dated 11.09.1992 and in writ petition No. 5183/2012 dated 03.05.2014 are viewed, then the respondents may proceed against the petitioner in accordance with law.
- (iv) Writ petition is accordingly disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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