

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

1006 WRIT PETITION NO.6902 OF 2021

**APARNA MADHUKAR THAKUR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner: Mr. Yeramwar Sushant C.
AGP for Respondents No. 1&2: Mr. S. P. Tiwari
Advocate for Respondent No. 3: Mr. P. D. Bachate

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**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE: 20th AUGUST, 2021

PER COURT:

1. The learned A.G.P. accepts notice for both the respondents.

2. The tribe claim of the petitioner as Thakur, Scheduled Tribe has been invalidated.

3. Mr. Yeramwar, learned Counsel for the petitioner submits that the old school record of the petitioner's ancestors has been relied while invalidating the tribe claim of the petitioner, however, at the relevant time the petitioner was not in possession of the relevant birth extracts

of those persons. In the birth extracts of the ancestors of the petitioner the caste is clearly recorded as Thakur, whereas in the school record the same was recorded as Bhat / Brahmbhat. The learned Counsel submits that opportunity be given to the petitioner to place on record the aforesaid documents.

4. The learned A.G.P. opposes the request of the petitioner and submits that ample opportunity was given to the petitioner to place-forth all the documents, the petitioner was given opportunity to file his say to the vigilance report and also argue the matter. The copies of the birth extracts produced by the petitioner also do not inspire confidence due to various discrepancies in the same *vis-a-vis* the school record.

5. We have considered the submissions canvassed by the learned Counsel for the parties.

6. The matter pertains to the social status of the petitioner. The petitioner has placed on

record the photocopies of the birth extracts of some of the relatives whose school record was relied while invalidating the tribe claim. Considering that the matter pertains to the social status of the petitioner, we are inclined to grant one more opportunity to the petitioner to put-forth the additional documents.

7. In light of that, we pass the following order.

ORDER

I] The impugned order is quashed and set aside.

II] The parties are relegated before the scrutiny committee.

III] The petitioner shall appear before the scrutiny Committee on 04.09.2021.

IV] The petitioner on the said date may place on record the original / certified documents on which the petitioner intends to rely.

V] The committee may direct vigilance to be conducted in respect of the additional documents.

VI] The petitioner shall co-operate in expeditious disposal of the proceeding.

8. Writ Petition is accordingly disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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