

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10374 OF 2021

YASH RAJU WAGH

VERSUS

SCHEDULED TRIBES SCRUTINY COMMITTEE AURANGABAD
REGION THROUGH ITS MEMBERS SECRETARY AND ANOTHER

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Advocate for Petitioner : Mr Sagar S. Phatale h/f

Mr. Mahesh S. Deshmukh

Addl GP for Respondents : Mr. P.S. Patil

Advocate for Respondent No. 3 : Mr. M.D. Narwadkar

...

**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 8th DECEMBER, 2021

PER COURT :-

Heard Mr. Phatale learned Advocate for the petitioner, learned AGP for respondent- State and Mr. Narwadkar, learned Advocate for respondent No. 3.

2. Amongst other submissions, one of the submissions made by the learned Advocate for the petitioner is that one paternal cousin of the petitioner, namely, Shejal Santosh Wagh had also applied for validity certificate of "Thakur" Scheduled Tribe, but the same was invalidated. Therefore, she filed writ petition No. 8166 of 2020. This Court under order dated 11-12-2020 directed the Committee to issue validity certificate to her.

2. The learned AGP submits that considering contra entries, so also, the fact that the petitioner failed in the affinity test, the Committee has rightly taken the decision.

3. Considering the genealogy on record and it is not disputed that Shejal Santosh Wagh is paternal cousin of the petitioner, for the reasons

stated in the order dated 11-12-2020, in writ petition No. 8166 of 2020 filed by Shejal Santosh Wagh, we follow the same course and pass the following order.

ORDER

1. The Committee shall issue validity certificate to the petitioner of "Thakur" Scheduled Tribe immediately.
2. The said validity certificate shall be subject to the decision that would be taken by the Committee in the proceedings reopened of the validity holders relied by the petitioner.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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