

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13701 OF 2021

SUMIT VINAYAK CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Sunil M. Vibhute
AGP for Respondents : Mr. S.K. Tambe

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

DATE : 8th DECEMBER, 2021

PER COURT :-

1. The claim of the petitioner claiming to be “Rajgond” Scheduled Tribe is invalidated. Amongst other submissions, one of the submissions of the learned Advocate of the petitioner is that, caste claim of the paternal cousin of the petitioner, namely, Nital Anantram Chaudhari and Om Anantram Chaudhari were also invalidated. Therefore, they filed writ petition No. 328 of 2021. This Court under order dated 12-01-2021 directed the Committee to issue validity certificate of “Rajgond” Scheduled Tribe. Real uncle of the petitioner, namely, Mahesh Madhavrao Chaudhari is also issued with validity certificate of Rajgond Scheduled Tribe by the Committee. Similarly, another cousin sister namely Dipti Anantram Chaudhari is issued with validity certificate by the Committee itself.

2. The learned AGP submits that there are entries of “Telang” in the School record of the petitioner's relative and the same are contra entries. The petitioner failed in the affinity test.

3. We asked learned Assistant Govt. Pleader, as to whether Nital daughter of Anantram Chaudhari and Om Anantram Chaudhari are the

paternal relatives of the petitioner, the learned Advocate does not dispute the paternal relationship of the petitioner with them. Real uncle of the petitioner is also issued with validity certificate of “Rajgond” scheduled Tribe.

3. In view of the judgment and order passed dated 12-01-2021 in writ petition filed by Om Chaudhari and Nital Chaudhari bearing No. 328 of 2021, we follow the same course and pass the following order.

ORDER

- (a) The Committee shall issue validity certificate to the petitioner of “Rajgond” Scheduled Tribe.
 - (b) The said validity Certificate shall be subject to the decision that would be taken in the proceedings re- opened in the validity relied by the petitioner.
4. The writ petition is disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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