

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

WRIT PETITION NO. 14073 OF 2021

Manoj Pandit Dhone

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Madhur A. Golegaonkar, Advocate for the Petitioner.

Mr. P. K. Lakhotiya, AGP for Respondents/State.

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

DATED : 15th DECEMBER, 2021.

PER COURT:-

. The tribe claim of the petitioner as belonging to "Thakar" (Scheduled Tribe) is invalidated.

2. Mr. Golegaonkar, learned counsel for the petitioner submits that the real sister of the petitioner had also applied for the validity certificate of "Thakar" (Scheduled Tribe). The scrutiny committee invalidated the tribe claim. She filed Writ Petition No. 5820 of 2019. This Court under order dated 19.07.2019 allowed the writ petition partly and directed grant of conditional validity. This Court considered the old documents of 1917, so also 1354 Fasli (1944).

3. The learned A.G.P submits that there are many contra entries on record. The petitioner has not proved the affinity test. The committee has considered the contra evidence on record.

4. The relationship of the present petitioner with Mayuri Pandit Dhone i.e. real sister of the petitioner is not disputed. This Court under order dated 19.07.2019 in Writ Petition No. 5820 of 2019 directed the committee that the real sister of the petitioner namely Mayuri to be issued with the validity certificate.

5. In the light of that, we follow the same course and pass the following order.

6. The committee shall issue validity certificate of “Thakar” (Scheduled Tribe) to the petitioner immediately.

7. The said validity certificate shall be subject to the decision that would be taken by the committee in the case reopened of the validity holders relied by the petitioner.

8. Writ petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.