

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

02 **WRIT PETITION NO. 5997 OF 2021**

OMKAR S/O KISANRAO SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. A.S. Golegaonkar h/f Madhur A. Golegaonkar, Advocate for
petitioner.

Mr. P.S. Patil, Addl. G. P. for the respondent/State.

...

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

DATE : 22nd DECEMBER, 2021

PER COURT :-

1. The tribe claim of the petitioner as 'Thakur' Scheduled Tribe is invalidated.
2. The learned counsel for the petitioner submits that the Committee had invalidated the tribe claims in case of Ankush Shinde, Sidheshwar and present petitioner under common judgment and order dated 5th August, 2019. One of them i.e. Ankush Balu Shinde approached this Court by filing the Writ Petition No. 14581 of 2019. This Court under judgment and order dated 18th December, 2020 allowed the writ petition directing the Committee to issue validity certificate to him.
3. The learned Additional Government Pleader submits that there are contra entries on record and earlier invalidation has been suppressed.
4. Considering the fact that one of the persons, whose claim was invalidated along the petitioner by the Committee, this Court under judgment and order dated 18th December, 2020 in writ petition

No. 14581 of 2019, directed to issue validity certificate to the petitioner therein, we follow the same course.

5. In light of the above, we pass the following order :

- (i) The Committee shall issue validity certificate to the petitioner as “Thakur” Scheduled Tribe.
- (ii) The said validity certificate shall be subject to the decision that would be taken in the re-opened proceedings of the validity holders relied upon by the petitioner.

6. Writ petition is accordingly disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

mtk