

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

**916 CIVIL APPLICATION NO.3939 OF 2022
IN WP/12900/2017 WITH WP/12900/2017**

KIRTI PRABHAKAR MORE ALIAS KIRTI GANESH PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND
947 WRIT PETITION NO.326 OF 2019

MADHAVI RAMRAO THAKUR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND
956 WRIT PETITION NO.6374 OF 2019

LALITA SURESH THAKUR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr.S.C. Yeramwar, advocate for the applicant/petitioners.
Mr.P.S. Patil, Addl. G.P. for respondent nos.1 to 4 in CA no.3939/2022.
Mr.P.K. Lakhotiya, A.G.P. for respondent nos.1 and 2 in WP No.326/2019.
Mr.S.B. Bhosale, Advocate for respondent no.3 in WP No.326/2019.
Mr.N.S. Choudhary, Advocate for respondent no.3 in WP No.6374/2022.

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**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 20.04.2022

P.C. :

1. We have considered the extensive submissions of the learned advocates for the respective sides and have

perused prayer clauses 7-B and 7-C.

2. It is undisputed that entries of the petitioners in employment, were on the basis of their claim of belonging to Thakur, Scheduled tribe. Their claims were invalidated and hence, the writ petitions.

3. Keeping in view the judgment delivered by the Hon'ble Apex Court in the matter of **Chairman and Managing Director, Food Corporation of India and others Vs Jagdish Balaram Bahira and others (2017) 8 SCC 670**, we do not find, we could grant any further relief to the petitioners. The Civil Application No.3939/2022 is, therefore, rejected.

4. Since the issue as regards to Thakur Scheduled Tribe in the light of the judgment delivered by the Hon'ble Apex Court in **Shilpa Vishnu Thakur Vs. State of Maharashtra and others {2009(3) Mh.L.J. 995}** is now referred to a larger bench, we grant liberty to the petitioners to circulate the matters for final hearing, out of turn, after the Hon'ble Apex Court decides the issue.

(S.G.DIGE, J.)

(RAVINDRA V. GHUGE, J.)