

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

925 WRIT PETITION NO.435 OF 2022

SHAIKH JUNAID ABDUL HAMID
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...

Advocate for the petitioner : Mr.M.A.Golegaonkar
Addl.GP for Respondent-State : Mr.P.S.Patil

...

AND

941 WRIT PETITION NO.455 OF 2022

ZAID ABDUL HAMID SHAIKH
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...

Advocate for the petitioner : Mr.M.A.Golegaonkar
AGP for Respondent-State : Mr.S.P.Tiwari

...

AND

954 WRIT PETITION NO.474 OF 2022

SAFA FATEMA MOHAMMAD IQBAL SHAIKH
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...

Advocate for the petitioner : Mr.M.A.Golegaonkar
AGP for Respondent-State : Mr.A.S.Shide

...

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

DATE : 11.01.2022

P.C. :

1] Caste claims of the petitioners as belonging to 'Tadvi' Scheduled Tribe are invalidated.

2] Mr.Golegaonkar, learned counsel for the petitioners submits that there are no *contra* entries on record. 34 paternal cousins have been issued with the validity certificates. Father of the petitioners are also issued with the validity of Tadvi Scheduled Tribe. There are paternal cousin of the petitioners issued with validity certificates under the order of this Court.

3] It is not disputed that Kum. Maseera Parvin d/o. Mohd. Ashfaque Shaikh and Kum. Saba d/o. Mohd. Azaz Shaikh are first degree paternal cousins of the petitioners. Their claims are also invalidated. This Court under judgment and order dated 9th October, 2020 in Writ Petition No.5641 of 2020 directed the Committee to issue the validity certificates. Validities issued to all paternal cousins in the said case were considered.

4] In the light of that and considering the reasons given in the judgment dated 9th October, 2020 in Writ Petition No.5641 of 2020 passed in the case of Kum.Maseera Parvin d/o. Mohd. Ashfaque Shaikh real paternal cousin of the petitioner, we follow the same course and pass following order:

ORDER

i] The impugned judgments and orders are quashed and set aside.

ii] The Committee shall issue validity certificates to the petitioners of Tadvi Scheduled Tribe.

iii] In case, the judgment of this court in Writ Petition No.430/1992 dated 11.09.1992 and in Writ Petition No.5183/2012 dated 03.05.2014 are reviewed, then the respondents may proceed against the petitioners in accordance with law.

iv] Writ Petitions are accordingly disposed of. No costs.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

DDC