

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

956 WRIT PETITION NO. 9104 OF 2023

PRATHAMESH ARUN NIKAM UG ARUN JAGANNATH NIKAM
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Yeramwar Sushant C.
Addl. GP for Respondents : Mr. P.S. Patil
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 27 JULY 2023

PER COURT :

Heard.

2. It is a first date in the matter. The respondent no. 2 – Scrutiny Committee, decided the petitioner's claim under Section 6 of the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes, (Vimukta Jatis) Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of issuance and verification of) Caste Certificate Act, 2000, only on 20 July 2023. He has appeared at the CET and has to upload the documents by tomorrow evening as per scheduled program.

3. we have, therefore, taken up the matter for final disposal, particularly because it is a matter of social status and *ex-facie* petitioner's real sister Manasi Arun Nikam has been granted a validity certificate subject to the condition and outcome of the review to be filed by the State in respect of a blood relative Tanushree and other paternal

relatives, in Writ Petition No. 1020 of 2021 by the order dated 19 January 2021.

4. Though there are several contrary entries referred to by the respondent no. 2 – Scrutiny Committee in the impugned order as pointed out by the learned AGP, considering same contrary entries, validity certificate has been issued to the petitioner's sisters pursuant to the detailed order passed by this Court.

5. We need not, therefore, burden this order with superfluous reasons. Following the decision in the matter of [Apoorva Nichale vs. Divisional Caste Certificate Scrutiny Committee and others](#), **2010(6) Mh.L.J. 401** and [Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Versus State of Maharashtra and Others](#), **2023 SCC Online SC 326**, we allow the Writ Petition, quash and set aside the impugned order and direct the respondent no. 2 – Scrutiny Committee, to immediately issue a tribe validity certificate to the petitioner as 'Thakur' scheduled tribe, which shall be subject to the final outcome of the review / SLP to be preferred by the State in respect of Tanushree and other paternal relatives of the petitioner. The petitioner shall not be entitled to claim any equity. The Writ Petition is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

spc/