

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1177 WRIT PETITION NO.9911 OF 2023

AMBIKA RAMCHANDRA THAKUR
VERSUS
SCHEDULE TRIBE CERTIFICATE SCRUTINY
COMMITTEE THROUGH ITS MEMBER SECRETARY

...
Advocate for Petitioners : Mr. Deshmukh Mahesh S.
AGP for the respondent – State : Mr. A.S. Shinde
...

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

DATE : 11 AUGUST 2023

PC :

The petitioner is once again before us being aggrieved by the fact that pursuant to the order of this Court on 11-07-2023 holding her entitled to have certificate of validity subject to certain conditions, the committee is hell-bent in incorporating / superimposing the certificate of validity to be issued to her in Form G mentioning that the certificate is a conditional certificate.

2. We cannot approve of such a practice rather condemn it. A right is being qualified and not the certificate. The condition only governs the right and does not qualify the certificate. When the law requires certificate of validity to be in the prescribed form, once we

direct the committee to issue it, it has to be strictly in Form G without incorporating any condition rather that would constitute manipulation.

3. We dispose of the writ petition by directing the committee to immediately issue a certificate of validity in Form 'G' and if that is not possible for technical reasons, we hereby declare that all the stake holders shall treat the certificate of validity even if it bears some endorsement as the validity certificate for all practical purposes, ignoring the additions.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/