

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

WRIT PETITION NO.9785 OF 2023

Tanishq s/o Sunil Thakur

... Petitioner

Versus

1. The State of Maharashtra
through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai – 32
2. Deputy Director (Research)
and Member Secretary
Scheduled Tribe Certificate
Verification Committee, Dhule
Dist. Dhule

... Respondents

...

Advocate for Petitioner : Mr. Chandrakant R. Thorat

AGP for Respondents: Mrs. M.A. Deshpande

...

CORAM

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

DATE

: 07.08.2023

ORDER (PER : MANGESH S. PATIL, J.) :

Heard both the sides finally at the stage of admission.

2. The petitioner is challenging the order passed by the Scrutiny Committee confiscating and cancelling his tribe certificate as belonging to “Thakur” Scheduled Tribe.
3. In fact petitioner’s real sister Shachi and Rashmi had faced a similar invalidity. Since it is a matter of social status, the documents relied upon by present petitioner and his two sisters and the circumstances considered by the respective committees which decided these three proposals being the same, in our considered view our detailed decision in the matter of Shachi Sunil Thakur Vs. The State of Maharashtra and others,

and Rashmi Sunil Thakur Vs. The State of Maharashtra in Writ Petition No.14558/2021 and in Writ Petition No.8669/2019 dated 04.08.2023 respectively would squarely be applicable to the petitioner's case as well for the self same reason as recorded therein.

4. The writ petition is allowed partly. The impugned order is quashed and set aside. The Scrutiny Committee shall issue tribe validity certificate to the petitioner as "Thakur" scheduled tribe by tomorrow, strictly in the prescribed format and without incorporating any additional material/condition therein. The validity shall be subject to the decision to be taken by the scrutiny committee in the matters which it has reopened.

5. The petitioner shall not be entitled to claim any equities.

6. Parties to act on the authenticated copies of this order.

(SHAILESH P BRAHME, J.)

(MANGESH S. PATIL, J.)