

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

1045 WRIT PETITION NO.10177 OF 2022

VISHVAJIT NARENDRA MAHALE
VERSUS
SCHEDULE TRIBE CERTIFICATE SCRUTINY COMMITTEE THROUGH
ITS MEMBER SECRETARY AND ANOTHER

...
Advocate for Petitioner : Mr. Deshmukh Mahesh S.
AGP for Respondent No. 1 : Mr. A.A. Jagatkar
...

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

DATE : 27 JULY 2023

PER COURT :

Heard both the sides.

2. The petitioner is challenging the order passed by the respondent no. 1 – Scrutiny Committee, under the proceeding 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, whereby, his tribe claim as belonging to 'Thakur' scheduled tribe has been turned down.

3. We have heard both the sides for a while.

4. It is pointed out that the impugned order was in fact a common order in the matter of the petitioner and his real sister Yugandhara. This Court in Writ Petition No. 7532 of 2023, which was filed by Yugandhara impugning the self same order, by the order dated

13 July 2023, allowed the Writ Petition partly and the Committee was directed to issue validity certificate to her as 'Thakur' scheduled tribe. Since this Court has already embarked upon and examined legality of the self same order, observations and the conclusions therein would even govern the matter in hand in respect of Vishwajit.

4. For the self same reasons, we allow the Writ Petition, quash and set aside the order even to the extent of petitioner Vishwajit and direct the Committee to issue him validity certificate of 'Thakur' scheduled tribe, immediately.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

spc/