



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

WRIT PETITION NO. 6712 OF 2024

SHIDHESHWAR BABAN SHINDE

VERSUS

**SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE
THROUGH ITS MEMBER SECRETARY AND ANOTHER**

...

Advocate for Petitioner : Mr. Phatale Sagar S

AGP for Respondents/State : Mr. S.P. Joshi

...

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

DATE : 3 JULY 2024

PER COURT :

. Heard.

2. The petitioner is challenging the common judgment and order whereby his proposal for validating the tribe certificate of Thakur scheduled tribe, has been rejected by the Scrutiny Committee.

3. It is being pointed out that impugned order was a common order in the matter of petitioner and two other individuals, Ankush Balu Shinde and Omkar Kisanrao Shinde. This Court in Writ Petition No.14581/2019 in the matter of Ankush and Writ Petition No.5997/2021 in the matter of Omkar, have already undertaken scrutiny regarding the sustainability of the selfsame order. When for the elaborate reasons recorded in the matter of Ankush, this Court

has quashed and set aside the selfsame order and directed a certificate of validity to be issued to him of Thakur scheduled tribe, the propriety demands that we follow the course. One cannot comprehend two coordinate benches sitting over the selfsame order and arriving at different conclusions, this was precisely the reason why in the Omkar's matter the order was passed directing him to be issued with a certificate of validity in the light of decision in the matter of Ankush.

4. The writ petition is allowed. The impugned order to the extent of the petitioner is quashed and set aside.

5. The Committee shall issue a certificate of validity of Thakur scheduled tribe to the petitioner. The validity certificate would be subject to the final outcome of the decision to be taken by the Committee in the matters of the validity holders whose cases it had decided to reopen.

6. The petitioner shall not be entitled to claim if any.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

Najeeb..