



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

WRIT PETITION NO. 7383 OF 2024

Harshad Devendra Suryavanshi

Age : 19 yrs, Occu: Education

R/o Shastri Nagar, CIDCO,

Aurangabad, Dist. Aurangabad.

...Petitioner

Versus

Schedule Tribe Certificate Scrutiny Committee,

Aurangabad.

Through its Member Secretary.

...Respondent

...

Advocate for Petitioner : Mr. Deshmukh Mahesh S.

Addl.GP for Respondent/State : Mr. P.S. Patil

...

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

DATE : 25 JULY 2024

ORDER [Per Shailesh P. Brahme J.] :

. Heard both the sides.

2. The petitioner is challenging judgment and order dated 03.07.2024 passed by the respondent/Scrutiny Committee, confiscating and invalidating his tribe certificate for Thakur scheduled tribe. Petitioner relies upon validity certificate issued to his father – Devendra, uncles – Rajendra and Narendra. He also relies upon validity certificate issued to Manthan and Pallavi who are his cousins.

3. It reveals from record that Manthan and Pallavi were issued with validity certificates by the order passed by the High Court in Writ Petition No.10913/2019 on 03.12.2020. It reveals that the selfsame record has been considered by the Scrutiny Committee as well as High Court while issuing validity certificates to the cousins, father and uncles of the petitioner. In such scenario, considering principles of parity, petitioner deserves validity certificate on certain conditions.

4. The petitioner is ready to face the consequences as contemplated in Shweta Balaji Isankar Vs. The State of Maharashtra and Others, in Writ Petition No.5611/2018. We are of the considered view that impugned judgment and order is unsustainable. We, therefore, pass following order :

ORDER

- (i) The impugned judgment and order is quashed and set aside.
- (ii) The respondent/Scrutiny Committee shall issue validity certificate of Thakur scheduled tribe to the petitioner forthwith. The same shall be subject to the outcome of re-verification proposed to be undertaken by the Scrutiny Committee.
- (iii) The petitioner shall not claim equities.
- (iv) The writ petition is allowed partly in the above terms.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]