



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

WRIT PETITION NO. 7433 OF 2024

Apurva Vijay Wagh

Age : 19 yrs, Occu: Education

R/o Raigad Nagar, N-9 House No.310,

Aurangabad, Dist. Aurangabad.

...Petitioner

Versus

Schedule Tribe Certificate Scrutiny Committee,

Aurangabad.

Through its Member Secretary.

...Respondent

...

Advocate for Petitioner : Mr. Gite Umesh Babanrao

AGP for Respondent/State : Mr. D.R. Korde

...

**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 04.07.2024 passed by the respondent/Scrutiny Committee, confiscating and invalidating her tribe certificate for Thakur scheduled tribe.

3. Petitioner relies upon validity certificate issued to her father – Vijay, real uncle – Santosh and aunt - Sunita. She also relies upon validity certificate of her first degree cousin – Sejal which was issued

by the order of the High Court passed on 11.12.2020 in Writ Petition No.8166/2020.

4. In view of the validity certificates issued in the family of the petitioner and the selfsame record having already been scrutinized by the Scrutiny Committee as well as High Court, we find it appropriate to issue validity certificate to the petitioner on certain conditions.

5. The learned Counsel for the petitioner submits that petitioner is ready to run the risk and abide by conditions as per law laid down in the matter of Shweta Balaji Isankar Vs. The State of Maharashtra and Others, in Writ Petition No.5611/2018. Under these circumstances, 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 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.]