



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8935 OF 2024

SATISH S/O HARIBHAU NAGTILAK
VERSUS

1. THE STATE OF MAHARASHTRA DEPARTMENT OF TRIBAL
DEVELOPMENT, MANTRALAYA, MUMBAI – 32 THR. ITS SECRETARY

2. THE SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE,
AURANGABAD DIVISION, AURANGABAD (NOW CHH.
SAMBHAJINAGAR) TQ.&.DIST. CHH. SAMBHAJINAGAR THR. ITS
MEMBER SECRETARY

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Advocate for the Petitioner : Mr. Yeramwar Sushant C.
AGP for Respondents: Mr. V.M. Jaware

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

DATE : 21.08.2024

PER COURT:

Heard both the sides finally.

2. The petitioner is challenging the judgment and order passed by the respondent No.2 – Scrutiny Committee refusing to validate his ‘Thakar’ scheduled tribe certificate.

3. It transpires that the impugned order was a common order in respect of ten individuals. Already this Court has set aside the selfsame order to the extent of six of them namely Sachin Shivaji Nagtilak, Vikas Mohan Nagtilak, Suyashri Mohan Nagtilak, Ratnaprabha Jaydev Nagtilak,

Ashwini Mohan Nagtilak and Vaibhav Narayan Nagtilak.

4. When a coordinate division bench has already considered sustainability of the order under challenge and has quashed and set aside it to the extent of aforementioned six individuals, the propriety demands that we need not recall reasons and follow the course.

5. For the selfsame reasons as has been recorded by the coordinate benches in the aforementioned matters of six individuals, the impugned order is liable to be quashed and set aside even to the extent of petitioner.

6. The writ petition is allowed partly. The impugned order is quashed and set aside. The committee shall immediately issue tribe validity certificate to the petitioner as belonging to 'Thakar' scheduled tribe, which shall be subject to the decision to be taken by the committee in the reopened matters.

7. The petitioner shall not be entitled to claim equities.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

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