



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10164 OF 2024

Pradip Devrao Chavan,
Age : 17 years, Occu : Student,
through its guardian
Devrao Dnyanba Chavan
Age : 48, Occu : Agri.,
R/o : Karegaon, Tq. Sengaon, Dist. Hingoli ... Petitioner

VERSUS

The State of Maharashtra
Through its Secreatry and others ... Respondents

...
Advocate for petitioner : Mr. A.S. Golegaonkar
h/f. Mr. Madhur A. Golegaonkar
AGP for the respondent – State : Mr. S.R. Yadav - Lonikar
...

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

DATE : 18 SEPTEMBER 2024

ORAL ORDER (MANGESH S. PATIL, J.):

In the light of urgency, papers were allowed to be produced and we have heard both the sides finally.

2. Issue notice for final disposal returnable forthwith. AGP waives service.

3. Petitioner is challenging the judgment and order whereby *in spite* of there being three validities in the family of real cousins, that too issued pursuant to the orders of this Court, the committee has refused to validate his tribe certificate of 'Thakur' scheduled tribe.

4. It is a matter of record that vigilance conducted in the matter of Yogesh Pandhari Chavan forms the basis for the committee to decide the petitioner's proposal. When Yogesh himself has been found entitled to have a validity subject to the usual condition, even the petitioner deserves to be treated alike. It would not be necessary for us to undertake re-scrutiny of the selfsame material which was the subject matter before this Court in the matter of ***Yogesh Pandhari Chavan v. The State of Maharashtra and others*** (writ petition no. 13882 of 2017 – order dated 3 August 2018).

5. For the selfsame reasons, as have been recorded in the matter of Yogesh (supra), the writ petition is partly allowed. The impugned order is quashed and set aside.

6. The order is dictated in open Court in presence of the AGP as also the Law Officer, who shall immediately communicate the decision to the committee and the petitioner be issued with the certificate of validity forthwith as belonging to 'Thakur' scheduled tribe. The validity shall be co-terminus with the proceedings of the validity holders which the committee has decided to re-open.

7. The petitioner shall not claim equities.

[SHAILESH P. BRAHME]
JUDGE

arp/

[MANGESH S. PATIL]
JUDGE