



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 WRIT PETITION NO. 5231 OF 2025

RAJSHREE KAUTIK DEORE AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER

...

Advocate for the Petitioners : Mr.Phatale Sagar S.

AGP for Respondent/State : Mr.S.B.Pulkundwar

...

CORAM : R.G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.

DATE : 18.09.2025

PER COURT :

. Heard.

2. The petitioners claims to have belonged to 'Thakur' Scheduled Tribe. Their tribe certificates have not been validated by the respondent/scrutiny committee. They are therefore before us, in this Writ Petition.

3. The petitioners rely on the validity certificate granted in favour of their real brother- Krushna and urge for allowing the petition.

4. The learned A.G.P on the other hand would submit that the state proposes to challenge the order of this Court dated 18.01.2021 and therefore if this Court is inclined to grant validity certificates, it be observed that the same shall be subject to the decision of Special Leave Petition (in short 'S.L.P') to be filed.

5. Since this Court way back in January 2021 granted validity certificate to the real brother of the petitioners, we have no other option but to grant the petitioners, validity certificates mainly on the ground of parity. So far as submissions of learned A.G.P are concerned, we are not at one with him since the order proposed to challenge is of January 2021. No hypothetical order could be passed.

6. Since the petitioners real brother holds the validity certificate, Writ Petition is allowed in terms of the following order :

ORDER

i) The impugned common order dated 05.01.2023 passed by the Respondent No.2/Scrutiny Committee, Dhule invalidating tribe claims of the petitioners is quashed and set aside.

ii) The Respondent/Scrutiny committee is directed to issue to the petitioners Tribe Validity certificates of '*Thakur*' Scheduled Tribe.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

vsj..