



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

940 WRIT PETITION NO. 5957 OF 2023

Ganesh Bramhadeo Thakar NikamPetitioner

VERSUS

The State of Maharashtra & anotherRespondents

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Mr. B. R. Kedar, Advocate holding for Mr. R. K. Jadhavar, Advocate for the Petitioner.

Mr. P. S. Patil, AGP for the State.

**CORAM : ALOK ARADHE, C.J. &
RAVINDRA V. GHUGE, J.**

DATE : 19th MARCH, 2025.

FINAL ORDER (Per Ravindra V Ghuge, J)

1. The Petitioner's claim of belonging to the 'Thakar' Scheduled Tribe category, has been invalidated by the Competent Committee, by a common order dated 15.12.2021, impugned in this Petition.

2. The learned AGP brings to our notice that, the common order dated 15.12.2021, was delivered by the Committee invalidating the claim of the Petitioner along with Gaurav Fulchand Nikam, who are relatives. However, vide order dated 01.12.2022, passed by this

Court, in Writ Petition No. 1761/2022 filed by Gaurav, the Petition was partly allowed in the light of the factors recorded in Paragraph Nos. 3 and 4 and by setting aside the order of the Committee dated 15.12.2021, the claim proposal of the said Petitioner i.e. Gaurav Fulchand Nikam, has been remitted to the Committee for a fresh decision. The decision is awaited.

3. In view of the above, we deem it appropriate to adopt the same approach. This Petition is partly allowed. The impugned order of the Committee dated 15.12.2021, to the extent of the present Petitioner Mr. Ganesh Bramhadeo Thakar (Nikam), is quashed and set aside and the proceedings are remitted to the Committee for enabling the Petitioner to appear and a fresh decision be rendered.

4. Taking into account the law laid down in **Maharashtra Adiwasi Thakur Jamat Swarakshan Committee vs. State of Maharashtra**¹, the Petitioner would also prove his relationship with the paternal uncles namely, Vijaykumar Macchindra Nikam and Rajabhau Macchindra Nikam, who have been granted validity certificates.

¹ 2023 SCC OnLine SC 326

5. We except the Committee to decide the claim of the Petitioner within 120 days. The Petitioner would render wholehearted co-operation to the Committee and would avoid seeking adjournments on unreasonable and frivolous grounds. For easy correspondence, the Petitioner submits his Email address and WhatsApp number as under :-

Email Id : thakarganesh51@gmail.com
WhatsApp Number : 7972935501

6. The Committee would enter into correspondence with him vide the said facility. The Petitioner would appear before the Scrutiny Committee on 01.04.2025 at 12.00 noon.

7. With the above directions, this Writ Petition is disposed off.

(RAVINDRA V. GHUGE, J.)

(CHIEF JUSTICE)

dyb