



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

WRIT PETITION NO. 5246 OF 2009

Shri. Milind Subhash Bhamre,
Age- 32 years, Occ. Service as Lab Attendant,
R/o Jar Galli, Paithan, Tq. Paithan,
Dist. Aurangabad.

...Petitioner

Versus

1. The State of Maharashtra
Department of Tribal Development,
Mantralaya, Mumbai-32
Through its Secretary.
2. The Scheduled Tribe Certificate Scrutiny
Committee, Nandurbar Division, Nandurbar.
Through its Member Secretary.
3. The Deputy Collector (E.G.S.),
Office of the Collectorate,
Dhule, Dist. Dhule
4. Pratishthan Education Society,
Paithan, Tq. Paithan,
Dist. Aurangabad.
Through its Secretary.
5. Pratishthan Arts, Science & Commerce
College, Paithan, Tq. Paithan,
Dist. Aurangabad.
Through its Principal.
6. The Deputy Director of Education,
Higher Secondary,
Aurangabad Region, Aurangabad.

...Respondents

...
Mr. Anil S. Golegaonkar a/w Mr. Manish L. Paithane, Advocate for the
Petitioner

Mr. A. R. Kale, AGP for Respondent/State

Mr. S. F. Bankar, Advocate for Respondents No.4 And 5

...

**CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL JADHAV, JJ.**

DATE : 12th NOVEMBER, 2025

ORAL JUDGMENT : [PER NITIN B. SURYAWANSHI, J.]

1. Rule. Rule made returnable forthwith. Heard finally with the consent of the parties.

2. This petition filed under Article 226 of the Constitution of India challenges decision of the Committee invalidating Tribe claim of the petitioner that the petitioner belongs to Thakur Scheduled Tribe.

3. By filing additional affidavit the petitioner has filed copy of certificate of validity granted by the Scrutiny Committee, Nashik to Rohan Arvind Bhamare, first cousin of the petitioner. Common order dated 05/04/2024 passed in Writ Petition No.13311/2022 in the case of Pankaj Subhash Bhamare, real brother of the petitioner, Writ Petition No. 13310/2022 in the case of Janhavi Shashank Bhamare and Yogita Nitin Thakur and Writ Petition No.7161/2023 in the case of Rupesh Rajendra Bhamare, Manisha Rajendra Bhamare, Jayashri Rajendra Bhamare, Yogeshwari Rajendra Bhamare, Kishor Diwan Thakur and Sagar Shashikant Bhamare, who are paternal blood relatives of the petitioner, is placed on record by which this Court by a reasoned order allowed the petitions and quashed and set aside the orders passed by the Scrutiny Committee invalidating the Tribe claim of the petitioners therein and directed the Committee to issue validity certificate to all the petitioners.

In Writ Petition No.2322/2008 filed by the real brother of the petitioner namely Atul Subhash Bhamare, this Court has quashed and set aside the order of the Committee and directed to issue validity certificate in favour of petitioner as belonging to Thakur Scheduled Tribe. Both the brothers of the petitioner namely Pankaj Subhash Bhamare and Atul Subhash Bhamare have relied on the same set of documents. As per the genealogy on record petitioner's relation with the petitioners in the above mentioned writ petitions is not in dispute.

4. In the backdrop of above facts and for the reasons stated in the common order passed by this Court in Writ Petition Nos. 13311/2022, 13310/2022 and 7161/2023, and the order passed in Writ Petition No.2322/2008, the writ petition deserves to be allowed by setting aside the impugned order. Hence, the following order:-

ORDER

- (I) Impugned order dated 15/07/2009, passed by the Scheduled Tribe Certificate Scrutiny Committee, Nandurbar in Case No.DHU/EDN/5137/04/W.P.No. 5655/2005 is quashed and set aside.
- (II) The Committee shall issue validity certificate in favour of the petitioner as belonging to Thakur Scheduled Tribe, within a period of four weeks from today.
- (III) After issuance of the validity certificate in favour of

the petitioner, respondent Nos.4, 5 and 6 shall grant consequent service benefits to the petitioner.

(IV) Rule is made absolute in the above terms. No costs.

(VAISHALI PATIL JADHAV, J.)

(NITIN B. SURYAWANSHI, J.)