



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

36 WRIT PETITION NO. 8703 OF 2025

ARYAN SHAILENDRA CHAUHAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND ANOTHER

.....
Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents/State : Mr. S.K. Tambe
.....

CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.
DATE : 21st July, 2025

ORDER (Per: Y.G. Khobragade, J.) :

1. By the present petition, the Petitioner takes exception to the order dated 14.05.2025 passed by the Respondent No.2/Scrutiny Committee thereby invalidating his “Thakur” Scheduled Tribe certificate.
2. Issue notice to the Respondents. The learned AGP waives notice on behalf of all the Respondents. Considering urgency, it is taken up for hearing at the motion.
3. Having regard to the rival submissions canvassed on behalf of both the sides, we have gone through the petition paper book. On face of record it *prima facie* appears that, on 27.07.2011, the Respondent No.2/Scrutiny Committee issued “Thakur” Scheduled Tribe certificate in

favour of Srhi Pranav Dharmendra Chauhan. The Division Bench of this Court has delivered an order on 12.10.2023 in Writ Petition No.3324/2020 with Writ Petition No.13061/2021 (*Sakshi Dharmendrasingh Chauhan / Piyush Surendrasingh Chauhan V/s. State of Maharashtra & Ors.*) and on 25.04.2025 in Writ Petition No.11127/2019 (*Surendra Dattusingh Chauhan V/s. The State of Maharashtra & Ors.*) and directed the Respondent No.2/Scrutiny Committee to issue Scheduled Tribe validity certificates in favour of the Petitioners in all these petitions.

4. The Petitioners in above referred petitions are paternal blood relatives of the Petitioner. The Petitioner- Aryan Shailendra Chauhan appears to be the real cousin of Pranav and Sakshi Chauhan and nephew of Surendra Chauhan. The Respondent No.2/Scrutiny Committee has not denied the paternal blood relations between the Petitioner and the Petitioners in the above referred petitions. Therefore, considering the law laid down in ***Mah. Adivasi Thakur Jamat Swarakshak Samiti Vs. State of Maharashtra and others; AIR 2023 SC 1657, Shweta Balaji Isankar Vs. The State of Maharashtra and others; 2018 SCC OnLine Bom. 10363 and Apporva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and others; 2010 (6) Mh. L.J. 401***, wherein it has been concluded that when the biological father, biological siblings, biological uncle etc., are

granted validity certificates, a candidate so related to them, cannot be deprived of a validity certificate, the present Petitioner is entitled to have a certificate of validity. However, the said validity shall be co-terminus with the decision in the matter which the committee may decide to re-open.

5. Since the present Petitioner is paternal blood relative of other candidates in whose favour the schedule tribe validity certificates are directed to be issued, therefore, considering above cited orders passed by this Court in aforesaid Writ Petitions, we proceed to grant the present petition partly.

6. Accordingly, the impugned order dated 14.05.2025 passed by the Respondent No.2/Scrutiny Committee is hereby quashed and set aside. The Respondent No.2/Scrutiny Committee is directed to issue the "Thakur" Schedule Tribe validity certificate to the Petitioner within a period of four weeks. However, said validity of the Petitioner shall be subject to the final outcome of the matters which the Committee may decide to re-open.

7. In view of the above, the Writ Petition is partly allowed. Accordingly, it is disposed off.

[Y.G. KHOBRADE, J.]

[MANISH PITALE, J.]