



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7824 OF 2025

Nimisha Deepak Shinde
Age 24 years, Occu: Education
R/o Pimpla Tq. Ashti Dist. Beed

... **Petitioner**

VERSUS

1. The State of Maharashtra,
Through the Ministry of Social Justice and
Special Assistance,
Mantralaya, Mumbai-32

2. The Scheduled Tribe Verification
Committee, Aurangabad

... **Respondents**

Mrs Rani Bharuka-Bora h/for Mr. Satyajit S. Bora, Advocate for the
petitioner,
Ms. S. S. Joshi, AGP for the Respondents.

CORAM : MANISH PITALE &
Y. G. KHOBRAGADE, JJ.
DATED : 10.07.2025

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

1. Heard learned counsel for the petitioner. Learned AGP appears
on behalf of the Respondents.

2. By the present petition under Article 226 of the Constitution of India, the Petitioner prays for quashing and setting aside the order dated 11.11.2024, passed by Respondent No. 2 Scheduled Tribes Verification Committee, Aurangabad, thereby invalidating “Thakur” Scheduled Tribe Certificate of the Petitioner.

3. We have considered the submissions of the learned for the Petitioner and the learned AGP for the Respondents State.

4. It is the case of the Petitioner that, she belongs to “Thakur”, Scheduled Tribe. When she was studying in the College, her caste claim was referred to the Scrutiny Committee on 27.02.2019 alongwith documentary evidence of pre-constitutional period and tribe validity certificates of her blood relatives. However, her claim remained pending for a quite long period, compelling her to file writ petition and contempt petition for getting it decided. Ultimately, on 11.11.2024, the Committee has decided the claim and invalidated her tribe certificate.

5. The learned counsel for the petitioner took us through the genealogical tree of the petitioner. As per genealogical tree, the petitioner's great-great grand father, namely Rama Shinde had one son Mohan Rama Shinde. Laxman, Prakash and Kundlik are the sons of Mohan Rama Shinde.

Deepak and Sandip are the sons of Laxman Mohan Shinde. Sachin, Amol and Sharad are the sons of Kundlik Mohan Shinde. The petitioner is the daughter of Deepak Laxman Shinde.

6. On the face of record, it appears that on 29.08.2013, this Court passed orders in Writ Petition No. 3800 of 2013 and 3798 of 2013 and granted tribe validity in favour of Deepak Laxman Shinde, father of the petitioner and Sandip Laxman Shinde, real uncle of the petitioner. Irrespective of this, on 03.12.2007, 28.09.2011, 20.09.2005 and 29.09.2005, the Scrutiny Committee granted validity certificates of Thakur Scheduled Tribe in favour of Sachin Prakash Shinde, Amol Kundlik Shinde and Sharad Kundlik Shinde who are cousin uncles of the petitioner. Besides the above validities, the petitioner also relies upon the school records of Suryakant Murlidhar Shinde of the years 1964, 1965 and 1969.

7. Taking into consideration the law laid down in cases of ***Mah. Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors.; AIR 2023 S.C. 1657, Shweta Balaji Isankar V/s. State of Maharashtra & Ors., 2018 SCC Online Bom. 10341, Apoorva Vinay Nichale-Vs- Divisional Caste Certificate Scrutiny Committee No. 1 and Ors., [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.

8. In view of above discussion, present petition deserves to be allowed and impugned order dated 11.11.2024 passed by the Respondent No. 2 Committee needs to be quashed and set aside. Accordingly, we proceed to pass the following order:

ORDER

- (i) Writ petition is allowed.
- (ii) Impugned order dated 11.11.2024 passed by the Respondent No. 2 is hereby quashed and set aside.
- (iii) Respondent No. 2/Committee shall immediately issue tribe validity certificate in favour of the petitioner as belonging to 'Thakur' Scheduled Tribes, which shall be subject to the final outcome of the matters which the Committee has decided to re-open.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

JPChavan