



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 WRIT PETITION NO. 10142 OF 2010

Deepak Vijay Wankhedkar

VERSUS

Scheduled Tribe Certificate Scrutiny Committee,
Nandurbar Region, Nandurbar And Others

- ...
- Adv. Umesh Gite h/f. Mr. Sagar S. Phatale, Advocate for the Petitioner
 - Mr. A. R. Kale, AGP for State
- ...

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

DATE : 19th NOVEMBER, 2025

PER COURT:

1. By this petition filed under Article 226 of the Constitution of India, the petitioner challenges the order dated 24.06.2010 passed by respondent No. 1 – Scheduled Tribe Certificate, Scrutiny Committee, Nandurbar Region, Nandurbar, thereby invalidating the tribe claim of the petitioner that he belongs to ‘Thakur, Scheduled Tribe’.

2. Heard learned advocate for the petitioner and learned AGP for State. Perused the original record made available by learned AGP.

3. It is not in dispute that the tribe claim of Digambar S/o Ramdas Thakur, second degree cousin uncle of the petitioner, is validated

by this Court vide order dated 06.12.2024 passed in Writ Petition No. 13827 of 2021. In the same order, his daughter Monika's tribe claim is also sustained by this Court in Writ Petition No. 13831 of 2021. The order passed in Digambar's case was referred to and relied upon in Writ Petition No. 1599 of 2015 in the case of Mahendra S/o. Narendra Wankhede, who happens to be cousin nephew of Digambar. Tribe claim of Mahendra's father Narendra Wankhede and his real brothers Rakesh and Bupendra is validated. Their relation with petitioner is not disputed.

4. It is a matter of record that before the Committee the petitioner has relied upon pre-constitutional documents i.e. an extract of birth register in respect of Shri Tankya Vanji Thakur, paternal grandfather of the petitioner, wherein his caste is recorded as 'Thakur' on 30.05.1926. The Committee has erroneously discarded this document by mentioning that the entry of caste is 'Thakur' and there is no entry of 'Thakur, Scheduled Tribe'. The same reflects non-application of mind on the part of the Scrutiny Committee.

5. For the aforesaid reasons and as petitioner's cousin uncle's tribe claim is validated by this Court, who has sworn an affidavit in support of the claim of the petitioner and as the petitioner's blood relatives are granted validity by the Committee, since the Committee has

erroneously discarded the pre-constitutional documents which supported the claim of the petitioner, the impugned decision is unsustainable in law and on facts of the case.

6. In the result, following order is passed :

- (i) Impugned decision is quashed and set aside.
- (ii) The Committee is directed to issue validity certificate as belonging to 'Thakur, Scheduled Tribe' in favour of the petitioner within four weeks from the date of uploading of this order.

7. Rule is made absolute in the above terms.

[VAISHALI PATIL – JADHAV, J.]

[NITIN B. SURYAWANSHI, J.]