



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

WRIT PETITION NO.13139 OF 2024

Balaji s/o Baburao Shinde & ors. ... **PETITIONERS**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....
Mr. S.S. Phatale, Advocate for Petitioners
Mr. A.A.A. Khan, A.G.P. for State
Mr. U.B. Gite, Advocate for R.No.3 to 6
.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 9th JULY, 2025

ORDER :

By consent of learned Advocates for both the sides,
heard finally at the admission stage.

2. The Petitioners, who are in blood relation with each other, claim to belong to Thakur – Scheduled Tribe. Petitioner No.1 is the father of Petitioners No.2 and 3. Petitioner No.4 is real brother of Petitioner No.1 and Petitioners No.5 and 6 are the sisters of Petitioner No.1. Since

the Petitioners No.1, 4, 5 and 6 were in the service and Petitioners No.2 and 3 were the students, their caste certificates were referred to the Respondent No.2 Scrutiny Committee for verification. By following due process, the Respondent No.2 Committee passed the impugned order dated 11/11/2024, invalidating the Tribe claim of the Petitioners by the common order. Hence this Writ Petition under Article 226 of the Constitution of India.

3. It is submitted by learned Advocate for the Petitioners that, the son of Petitioner No.1 by name Chandrashekhar Balaji Shinde had approached this Court in Writ Petition No.13390/2021 against invalidation of his Tribe claim towards Thakur – Scheduled Tribe by the Respondent No.2 Committee and this Court allowed the said Petition by judgment and order dated 8/8/2023 directing the Respondent No.2 Committee to issue validity certificate of Thakur – Scheduled Tribe to him. He submits that, the Respondent No.2 has also invalidated the Tribe claim of the daughter of Petitioner No.1 by name Pratiksha Balaji Shinde and that of nephew of Petitioner No.1 by name Prathamesh Bhanudas

Thakur and they had also challenged the order of the Respondent No.2 Committee, invalidating their Tribe claim towards Thakur – Scheduled Tribe by filing Writ Petitions No.10198/2023 and 10199/2023, which also came to be allowed by order dated 18/8/2023. He submits that, subsequently, by order dated 23/8/2023, the validity to Prathamesh Bhanudas Thakur and Pratiksha Balaji Shinde were made subject to review, if any, filed by the Committee in case of Chandrashekhar Balaji Shinde in Writ Petition No.1339/2021, dated 8/8/29023. He submits that, there is no dispute in respect of blood relations between the Petitioners and the aforesaid Petitioners who have been granted validity certificates for Thakur – Scheduled Tribe, who approached this Court by way of aforesaid Writ Petitions. He submits that, for invalidating the Tribe claim of the Petitioners, the Respondent No.2 Committee has relied on the very same material which was considered at the time of considering Tribe claim of the aforesaid Petitioners. He submits that, the Writ Petition may be allowed and the validity certificates may be issued to the Petitioners for Thakur – Scheduled Tribe.

4. The learned A.G.P. appearing for the State, on instructions from the concerned persons from the respondent No.2 Committee does not dispute that the son, daughter and nephew of Petitioner No.1 had approached this Court in the above referred Writ Petitions and this Court had directed the Respondent No.2 Committee to issue validity certificates to those Petitioners for Thakur – Scheduled Tribe. He submits that, appropriate orders be passed.

5. After hearing both the sides, and perusing the papers on record, it is clear that, there is no dispute in respect of blood relations between the Petitioners and the said Petitioners who were the son, daughter and nephew of Petitioner No.1. The Respondent No.2 Committee considered the very same material which was considered while invalidating the Tribe claim of the said Petitioners in Writ Petitions No.13390/2021, 10198/2023 and 10199/2023. With this background of the matter, the Petition is liable to be allowed. Hence, we proceed to pass the following order :

ORDER

- (i) The Writ Petition is partly allowed.
- (ii) The impugned common order dated 11/11/2024, passed by the Respondent No.2 Scrutiny Committee is quashed and set aside.
- (iii) The Respondent No.2 Committee shall issue the Tribe Validity Certificates to the Petitioners, belonging to “Thakur” – Scheduled Tribe, which shall be subject to review, if any, filed by the Committee in case of Chandrashekhar Balaji Shinde in Writ Petition No.1339/2021, Pratiksha Balaji Shinde in Writ Petition No.10199/2023 and Prathamesh Bhanudas Thakur in Writ Petition No.10198/2023, within a period of two weeks from the date of receipt of this order.
- (iv) Writ Petition stands disposed of. Rule made absolute in above terms.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

FMPathan/-