

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16218 OF 2024

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Chetashree D/o. Jeetendra Thakur

... Petitioner

Versus

The State of Maharashtra Dept. of Tribal

Development and Anr.

... Respondents

.....
Mr. Sushant Yeramwar a/w Mr. Saurabh P. Tandale for the Petitioner.
Mr. V.M. Mali, AGP for the Respondent - State.
.....

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : September 9, 2025.

P. C. :

1. Heard learned Counsel for the Petitioner.
2. The challenge in this petition is to the order dated 11th September 2024 passed by the Scheduled Tribe Certificate Scrutiny Committee, Konkan Division, Thane invalidating the Tribe claim of the Petitioner as belonging to 'Thakar-Scheduled Tribe'. The Caste Scrutiny Committee in the impugned order made a reference to the Caste Validity Certificate issued in favour of Amol Narayan Wakkar. The Caste Scrutiny Committee observed that Amol Narayan Wakkar resides at village Vayari – Bhutnath,

Taluka Malvan, Dist. Sindhudurg. It is pertinent to note that Amol Narayan Wakkar has been issued the Caste Validity Certificate pursuant to the judgment and order of this Court dated 27th February 2015 in Writ Petition No. 1222 of 2012. The Scrutiny Committee also observed that the close relative of the Petitioner, viz. Uttam Anant Thakur has been granted caste validity certificate. It is observed by the Caste Scrutiny Committee that Amol Narayan Wakkar and Uttam Anant Thakur are residing at different places. Amol Wakkar is residing at A/p Vayari – Bhutnath, Taluka Malvan, Dist. Sindhudurg, whereas Uttam Anant Thakur is residing at Mouje Nemale. Taluka Sawantwadi, Dist. Sindhudurg. The Caste Scrutiny Committee also observed that the certificates have been obtained by Amol Narayan Wakkar and Uttam Anant Thakur by misrepresenting the fact that Narayan Bhagwan Wakkar is blood relative of Amol Wakkar and Uttam Thakur.

3. It further needs to be noted that even the Petitioner's cousin Aditya Dilip Thakur has been issued caste validity certificate. In denying the caste claim of the Petitioner, the committee was of the view that Uttam Anant Thakur and Narayan Bhagwan Wakkar have obtained the caste validity certificate based on the misrepresentation of facts and furnishing false information.

4. Learned AGP made an attempt to submit that the genealogy filed by the Petitioner is not established. However, we find that there is no cogent material on record to doubt the genealogy. Amol Narayan Wakkar, Uttam Anant Thakur and Aditya Dilip Thakur, who have been granted the caste validity certificates, are blood relatives of the Petitioner. So long as their caste validity certificates stand, the Petitioner cannot be denied the benefit of caste validity certificates on a finding in the Petitioner's claim that the certificates of validity were obtained by the close relatives by misrepresentation. In light of the law laid down by this Court in **Apoorva d/o Vinay Nichale Vs. Divisional Caste Scrutiny Committee & Ors. 2010 (6) Mh.L.J. 401**, even the present Petitioner should be granted caste validity certificate as belonging to the 'Thakar-Scheduled Tribe'.

5. In view of the above discussion, the impugned order dated 11th September 2024 passed by the Respondent No.2 – Committee invalidating the Tribe Claim of the Petitioner is quashed and set aside. The Caste Scrutiny Committee is directed to issue the caste validity certificate in favour of the Petitioner as belonging to 'Thakar-Scheduled

Tribe' as expeditiously as possible and preferably within a period of eight weeks from today.

6. The Petition stands disposed of in the above terms. No costs.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik]