



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

WRIT PETITION NO. 11807 OF 2025

NIRAJ KAMLAKAR MORE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND ANOTHER**

...
Advocate for the Petitioner : Mr. Yeramwar Sushant C.
AGP for Respondents: Mr. V.M. Jaware
...

**CORAM : SANDIPKUMAR C. MORE &
ABASAHEB D. SHINDE, JJ.**

DATE : 20.01.2026

PER COURT:

1. Heard. Rule. Rule is made returnable forthwith. With the consent of the parties, the writ petition is heard finally at the stage of admission.
2. By this writ petition the petitioner is taking exception to the judgment and order dated 05.08.2022 passed by the respondent – Scrutiny Committee, thereby, invalidating the tribe claim of the petitioner of belonging to ‘Thakur’ scheduled tribe.
3. Learned counsel for the petitioner submits that the real uncle of the petitioner namely Vijay Rajaram More whose tribe claim was invalidated, had approached this Court by filing Writ Petition No.713/1994 and this Court after considering selfsame material by an order dated 01.03.1994 has allowed the said writ petition, thereby, granting validity in favour of his real uncle. He

would further submit that even the father of the petitioner has also been granted validity certificate by the Scrutiny Committee on 27.01.2004. He further submits that even the oldest document placed on record pertaining to pre-independence era has not been properly considered by the Scrutiny Committee which carries probative value. He, therefore, urge that the writ petition be allowed and the petitioner be issued validity certificate accordingly.

4. Per contra, the learned AGP submits that, the validity in favour of the petitioner's real uncle has been discarded on the ground that the Committee found that the petitioner belongs to upper caste. He further submits that there are certain contra entries which shows that petitioner does not belong to Thakur scheduled tribe. He, therefore, urge that the writ petition deserves to be dismissed.

5. Having heard rival contentions of the learned counsel for the petitioner and the learned AGP, we find that learned AGP does not dispute the fact about issuance of validity certificate by this Court to the real uncle of the petitioner as well as validity certificate issued by the Scrutiny Committee to his father. When the real uncle of the petitioner namely Vijay Rajaram More has been granted validity by this Court (supra) and the said validity still holds the field in view of the judgment of Hon'ble Apex Court in the case of **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and Ors.; 2023 SCC OnLine SC 326**, we find that petitioner deserves to be granted validity. We are, therefore, inclined to allow this Writ Petition. Hence, the following orders:

ORDER

- I. The writ petition is allowed.
- II. The impugned order dated 05.08.2022 passed by the respondent – Scrutiny Committee is quashed and set aside.
- III. The respondent – Scrutiny Committee is directed to issue tribe validity certificate to the petitioner of belonging to ‘Thakur’ scheduled tribe forthwith.
- IV. Rule is made absolute.

(ABASAHEB D. SHINDE, J.)

(SANDIPKUMAR C. MORE, J.)

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