IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12182 OF 2012

Someshwar s/o Waman Thakur .....Petitioner

Versus

The State of Maharashtra, Through Its Secretary, Home Department & Ors. .....Respondents

.....

Mr. Krishna Dhere a/w Mr. Anshuman Deshmukh h/f Mr. Arun Koralkar, for the Petitioner.

Smt. V.R.Raje, A.G.P, for the Respondent.

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CORAM : M. S. KARNIK &
SANDESH D. PATIL, JJ.

DATE : 8th OCTOBER, 2026

P.C.:-

1. Heard learned Counsel for the petitioner. We have also heard Mrs. Raje, learned A.G.P for the State.

2. On 24th September, 2026, this Court passed the following order:

> *"1. The Scrutiny Committee while rejecting the Tribe claim of the Petitioner has observed that so far as the close blood relative of the Petitioner Mr. Narendra Yuvraj Mahale (Thakur) is concerned, the same is a conditional Order of Validity dated 1st November, 2004 issued by the Nashik Committee in respect of Mr.*

RUPALI RAJESH WAKODIKAR
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Date: 2026.10.09 11:22:21 +0530

Narendra Yuvraj Mahale. Mr. Narendra Yuvraj Mahale had filed an affidavit before the Scrutiny Committee which examined the Tribe claim of the Petitioner relying on his validity and relationship with the Petitioner.

2. It is now pointed out by learned Counsel for the Petitioner that Narendra's caste validity claim has been confirmed pursuant to the Order passed by this Court. Moreover, the daughter of Mr. Narendra Yuvraj Mahale namely Ms. Yugandhara Narendra Mahale, has also been issued with a Certificate of Validity pursuant to the Judgment of this Court in Writ Petition No.7532 of 2023.

3. It is further submitted that the Petitioner's close relative Mr.Rakesh, son of Mr. Kishor Thakur has been issued with Certificate of Validity pursuant to the decision of this Court, Bench at Aurangabad, in Writ Petition No.8588 of 2012 dated 13th July, 2023. It is a matter of record as can be seen from the decision of this Court in the aforesaid Writ Petition that Mr. Rakesh Kishor Thakur and Ms.Yugandhara Narendra Mahale are close blood relatives.

4. It is thus seen that close blood relatives of the Petitioner have been issued with Certificate of Validity.

5. Learned Counsel for the Petitioner relied upon the decision in the case of ***Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti V/s. State of Maharashtra and Ors.***[1] *as well as in the case of* ***Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and Ors.***[2] *in support of his claim that even the Petitioner is entitled to have his tribe claim validated.*

1 (2023) 16 SCC 415
2 2010 (6) MHLJ 401

6. Learned A.G.P. however requested for some time to verify these facts and respond on the next date.

7. Though the record appears to be clear, only in order to further give an opportunity to learned A.G.P. to seek instructions and respond by the next date, we post the matter on 8th October, 2026 for passing Orders.

8. It is made clear that, if the instructions are not obtained we may be constrained to pass Orders on the basis of material available on record.

9. Stand over to 8th October, 2026 for passing Orders."

3. Learned A.G.P, on instructions fairly submitted that upon verifying the records, it is informed that the genealogy in the case of Narendra Yuvraj Mahale, where the validity was granted in favour of Narendra finds name of the present petitioner. Learned A.G.P has placed on record a copy of the genealogy which was relied upon in Narendra's case. The same is taken on record and marked as X-for identification.

4. It reveals that the petitioner is the close blood relative of Narendra. In such view of the matter, the petition deserves to be allowed. Hence, the following order :

ORDER

(i) Writ Petition no. 12182 of 2012 is allowed.

(ii) The impugned order passed by the Caste Scrutiny Committee is set aside.

(iii) The Scrutiny Committee is directed to issue a validity certificate to the petitioner of the caste 'Thakur – Scheduled Tribe' within a period of six weeks from the date of communication of this order.

(SANDESH D. PATIL, J.) (M. S. KARNIK, J.)