

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.6821 OF 2024
WITH
INTERIM APPLICATION NO.12422 OF 2025
WITH
INTERIM APPLICATION NO.12424 OF 2025**

Saraswati d/o Dattatray Ahire,
Age : 33 Years, Occupation : Service,
Presently Residing at : 58, Hindu
Housing Society, Tapi Road, Bhusawal,
Taluka : Bhusawal, District : Jalgaon. ...Petitioner/Applicant

Versus

1. **The State of Maharashtra,**
Department of Tribal Development,
Mantralaya, Mumbai – 32,
Through its Secretary.
2. **The Scheduled Tribe Certificate
Scrutiny Committee, Nashik Division,**
Nashik – 2, Taluka and District Nashik,
Through its Member Secretary. ...Respondents

Mr.Sahil Choudhari h/f Mr.Sushant Yeramwar Jinturkar, Advocate for
Applicant/Petitioner.
Smt.Ashwini A. Purav, AGP, for the Respondents-State.

**CORAM : M.S.KARNIK &
S. M. MODAK, JJ.**

DATE : 18th FEBRUARY 2026

P.C. :-

1. Heard learned counsel for the petitioner.
2. The Caste Claim of the petitioner as belonging to “*Thakur Scheduled Tribe*” has been invalidated by the respondent no.2 – The Scheduled Tribe Certificate Scrutiny Committee, Nashik Division, Nashik-2 (“**the Scrutiny Committee**”, for short) by the impugned order dated 01st March 2023.
3. Learned counsel for the petitioner relied upon the decision of this Court dated 18th April 2019 in *Kumari Dipali D/o Babanrao Thakur V/s. The State of Maharashtra and ors. in Writ Petition No.1381 of 2013*. By reasoned order, it was directed that the “*Certificate of Validity*” be issued to Dipali Babanrao Thakur. The genealogy relied upon by the petitioner and which is duly verified by the Scrutiny Committee reveals that Dipali is the cousin sister of the petitioner from the paternal side. The relationship is not disputed.
4. Learned AGP while supporting the order passed by the Scrutiny Committee submitted that the respondents propose to challenge the order passed by this Court in Dipali’s case by way of Special Leave Petition before the Hon’ble Supreme Court. The order in Dipali’s case

was passed on 18th April 2019. Factually, the SLP is not yet filed. The relationship of the Petitioner and Dipali is not disputed. Further, Dipali has been issued with the “*Certificate of Validity*” consequent upon the order passed by this Court in Writ Petition No.1381 of 2013.

5. In view of the law laid down by the Hon’ble Supreme Court in *Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti V/s. State of Maharashtra and Others*¹ and this Court in *Apoorva d/o Vinay Nichale V/s. Divisional Caste Certificate Scrutiny Committee No.1 and others*², even the petitioner who is a close blood relative of Dipali from the paternal side is entitled to have his Caste Claim validated. The impugned order is, therefore, quashed and set aside.

6. The Scrutiny Committee is directed to issue “*Certificate of Validity*” in favour of the petitioner as belonging to “*Thakur Scheduled Tribe*” within a period of 6 weeks from the date of this order. It is made clear that as this order is passed on the basis of “*Certificate of Validity*” issued to Dipali and if any adverse consequences as regards the “*Validity Certificate*” issued to Dipali occur, the same shall follow even in case of the petitioner.

1 (2023) 16 Supreme Court Cases 415

2 2010(6) Mh.L.J. 401

7. With this clarification, the petition is disposed of.
8. In view of disposal of the petition, pending interim applications do not survive and hence, the same stand disposed of.
9. Needless to mention, all concerned shall act on the duly authenticated copy of this order.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)