



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

WRIT PETITION NO.3434 OF 2023

Satyawan s/o Laxman Ratul,	}
Age-55 years, Occ. Service,	}
R/o At & Post-Pinguli,	}
Tq. Kudal, Dist. Sindhudurg.	} .. Petitioner
Vs.	
1. The State of Maharashtra	}
Department of Tribal Development,	}
Mantralaya, Mumbai-32.	}
Through its Secretary.	}
2. The Scheduled Tribe Certificate Scrutiny	}
Committee, Konkan Division, Thane,	}
Dist. Thane.	}
Through its Member Secretary.	}
3. The Education Officer (Secondary),	}
Zilla Parishad, Sindhudurg,	}
Tq. & Dist. Sindhudurg.	}
4. The Chairman,	}
Aronda Panchkroshi Shikshan Prasarak	}
Mandal, Aronda's	}
Aronda High School, Aronda,	}
Tq. Sawantwadi, Dist. Sindhudurg.	}.. Respondents

...
Mr. S.C. Yeramwar for the Petitioner.
Mr. R.P. Kadam, AGP for the Respondent-State.
...

**CORAM : A.S. CHANDURKAR &
FIRDOSH P. POONIWALLA, JJ**

DATE : 11TH DECEMBER, 2023.

ORAL JUDGMENT : (PER : A.S. CHANDURKAR,J)

1. Rule. Rule is made returnable forthwith and heard learned counsel for the parties.
2. Challenge raised in this Writ Petition is to the order dated

20/02/2023 invalidating the Petitioner's claim of belonging to Thakar Scheduled Tribe. *Inter alia*, it is submitted by the learned counsel for the Petitioner i.e. two blood relatives Narayan Vinayak Ratul and Rohan Digambar Ratul have been issued validity certificate, pursuant to adjudication by this Court. After noticing this aspect on 09/06/2023, the learned Assistant Government Pleader was directed to verify as to whether these judgments were subjected to any further challenge. Time was accordingly granted. Further time was granted by the order dated 04/12/2023. Today, it is informed that as of date such challenge has not been raised.

3. Perusal of the validity certificates placed on record indicates that Narayan and Rohan are blood relatives of the Petitioner. The documents sought to be relied upon by the Petitioner herein were also relied upon by the said Petitioners after which validity certificate was granted. Thus, by following the ratio of the decision in ***Apoorva Vinay Nichale V/s Divisional Caste Scrutiny Committee & Ors.***¹, we find that the Petitioner is entitled to benefit of the aforesaid adjudication.

4. Hence, for the reasons recorded in the Judgments delivered in Writ Petition No.13551 of 2022 and 15122 of 2022, the order passed by the Scrutiny Committee is set aside. It is declared that the Petitioner has proved his case as belonging to Thakar

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Scheduled Tribe. Within a period of four weeks of receiving copy of this Judgment, the Scrutiny Committee shall issue the validity certificate to the Petitioner. Needless to state that in case the aforesaid Judgments are reversed, the consequences insofar as the present Petitioner is concerned, would also follow.

5. Rule is made absolute in the aforesaid terms.

[FIRDOSH P. POONIWALLA, J] [A.S. CHANDURKAR, J.]