



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6265 OF 2023

- 1) Manohar s/o Udesing Mahale
2) Priyanka d/o Manohar Mahale ... **Petitioners**

VERSUS

- 1) The State of Maharashtra
and others ... **Respondents.**

...

Advocate for Petitioners : Mr. Yeramwar Sushant C.
A.G.P. for Respondent Nos. 1 to 3 : Mr. S.R. Wakale

CORAM : **MANGESH S. PATIL &**
PRAFULLA S. KHUBALKAR , JJ.

DATE : **18.11.2024**

PER COURT :

Heard.

2. The petitioners are challenging the common order, whereby respondent-scrutiny committee instead of validating their 'Thakur' scheduled tribe certificates confiscated and cancelled those by the order under challenge.

3. It is now being pointed out that the petitioners were relying upon *inter alia* the certificate of validity issued to one Arun, who happens to be the petitioner -Manohar's first degree cousin. The committee had decided to undertake fresh scrutiny of his validity on the ground of alleged fraud. It is now being pointed out that Arun was issued with a show cause notice by the committee. An enquiry was undertaken into sustainability of his certificate of validity. By the order dated 16.04.2024 in matter No. DHU/SERV/943/2002, by assigning objective reasons, the committee has

dropped the proceeding and recalled the show cause notice. Meaning thereby that his validity now stands confirmed. The learned A.G.P, on instructions admit the state of affairs.

4. In light of above, when Arun's validity now stands confirmed by virtue of dropping of the show cause notice issued by the scrutiny committee, there being no dispute about petitioners being related to him by blood from the paternal side, no threadbare scrutiny of the order under challenge is required and even the petitioners would be entitled to have certificates of validity.

5. The writ petition is allowed. The impugned order is quashed and set aside. The respondent no.2-committee shall issue certificates of validity to both the petitioners as belonging to 'Thakur' scheduled tribe.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

mkd/-