



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

**WRIT PETITION NO. 2809 OF 2020  
WITH  
INTERIM APPLICATION NO. 3928 OF 2021**

Ajay Lalitkumar Thakur. ... Petitioner.

Versus

The State of Maharashtra & Ors. ... Respondents.

**WITH  
WRIT PETITION NO. 3103 OF 2021  
WITH  
INTERIM APPLICATION NO. 3759 OF 2021**

Digvijay Maheshkumar Thakur. ... Petitioner.

Versus

The State of Maharashtra & Ors. ... Respondents.

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Mr. Mahesh Deshmukh, i/b. DGK Legal, for the Petitioners in  
WP/3103/2021 & WP/2809/2020.

Mr. V.M. Mali, AGP for Respondent-State in WP/3103/2021.

Mr. K.S. Thorat, "B" Panel Advocate for Respondent-State in  
WP/2809/2020.

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**CORAM : RAVINDRA V. GHUGE AND**

**ASHWIN D. BHOBE, JJ.**

**DATE : 6<sup>th</sup> DECEMBER, 2024**

**P.C. :**

1. By consent of the parties, these matters which have been admitted earlier, are taken up for final hearing. We have considered the submissions of the learned Advocate for the Petitioners and the learned AGP on behalf of the Committee. With their assistance, we have perused the Petition paper books.

2. A family tree at page 86 in the first petition, is relied upon by the Petitioners. Ajay, son of Lalitkumar Thakur, is the Petitioner in the first Petition. Digvijay, son of Maheshkumar Naval Thakur, is the Petitioner in the second Petition. Though his name is not shown at page-86, the learned AGP points from the R & P that the vigilance cell has noticed that Digvijay is the biological son of Maheshkumar.

3. The biological brother of the Petitioner Ajay, namely Karan, has been granted the validity certificate by the Order of this court dated 4<sup>th</sup> December, 2021 delivered in Writ Petition No. 13389 of 2021 (***Karan Lalitkumar Thakur v/s. The State of Maharashtra and Anr.***). So also, Maheshkumar who is the father of the Petitioner in the second Petition,

has been granted the validity certificate by the Committee. The learned AGP is instructed to say on the basis of the R & P that the relationship between Ajay-Karan and Digvijay-Maheshkumar, is undisputed. Naval Ganpat Thakur (great great grand father) had four sons namely Atmaram, Maheshkumar, Hiralal and Omprakash. The son of Hiralal, namely Vishal, has been granted the validity certificate.

4. In ***Maharashtra Adiwasi Thakur Jamat Saurakshan Samiti v/s. State of Maharashtra & Ors. reported in (2023) 3 SCR 1100***, the Hon'ble Supreme Court has concluded that if the validity certificates on whom the claimant places reliance, are intact and the relationship is proved, a validity certificate can be granted. This Court has laid down the law in ***Apoorva Vinay Nichale v/s. Divisional Caste Certificate Scrutiny Committee No.1 & Ors. in Writ Petition No. 1504 of 2010***. The biological brother of Ajay has been granted validity certificate by this Court vide Order dated 4<sup>th</sup> December, 2021. Maheshkumar is the father of Digvijay and the biological brother of grand-father of Karan. So also, Vishal is the son of Hiralal and is the cousin uncle of Karan and Ajay.

5. The learned AGP submits on instructions that no notice has

been issued for re-opening of the cases of Maheshkumar and Vishal.

6. In view of the above, **both these Writ Petitions are allowed.** The impugned orders rejecting their claims are quashed and set aside. The Petitioners namely Ajay Lalitkumar Thakur and Digvijay Maheshkumar Thakur, shall be granted the Thakur Schedule Tribe Validity Certificate within 30 days from today.

7. **Rule is made absolute in the above terms, in both the Petitions.**

8. Pending **Interim Applications would not survive and stand disposed off.**

**(ASHWIN D. BHOBE, J.)**

**(RAVINDRA V. GHUGE, J.)**

ARUNA  
SANDEEP  
TALWALKAR

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by ARUNA  
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