



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

37 WRIT PETITION NO. 9859 OF 2025

Ankush Gangadhar Madalwar

**VERSUS**

The State Of Maharashtra Through Its Secretary And Another

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Mr. Sunil Mahadevappa Vibhute, Advocate for the Petitioner.

Mr. P. S. Patil, AGP for State.

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**CORAM : KISHORE C. SANT &  
JITENDRA JAIN, JJ.**

**DATE : 17<sup>th</sup> AUGUST 2026.**

**PC :-**

1. Heard learned counsel for the parties for some time.
2. By consent, the petition is taken up for final disposal.
3. The petitioners claim that their claim of belongs to the Koli Mahadev Scheduled Tribe has been invalidated by the Scheduled Tribe Certificate Verification Committee – Respondent No.2.
4. It is the case of the petitioner that there is already a validity in favour of his near relative, namely, Dnyaneshwar Madalwar. However, because of the family dispute, he has refused to give an affidavit in favour of the petitioner as

required. He submits that one Rachubai Madalwar also appears to be his cousin, who appears to be the daughter of Nagorao, i.e. the father of Dnyaneshwar Madalwar. The revenue record shows that Nagorao and the grandfather of the petitioner, namely, Hanmant Madalwar, are real brothers. However, these material aspects have not been considered. He accepts that, while submitting the genealogy, a proper genealogical tree was not given.

5. Learned advocate for the petitioner, Mr. Vibhute, further submits that the said material filed by the petitioner was also not properly considered.

6. Learned AGP Mr. Patil vehemently opposes the petition. He submits that the father of Dnyaneshwar, namely, Nagorao, has specifically given a statement to the Vigilance Committee, in the case of Dnyaneshwar, that he has no brother or sister and that he was the only child. He thus submits that there is no question of Nagorao Madalwar having any brother who is stated to be grandfather of the petitioner. Learned counsel, Mr. Vibhute has shows some revenue record wherein the name of Nagorao Madalwar and Saibu Rachana are shown as real brothers and that material ought to have been considered.

7. This Court find that, *prima facie*, there is some material to show that the petitioner has placed on record material which was not properly

considered. There is no reference even to the say filed by the petitioner in the judgment of the Committee. On these points, we find that a case is made out to remand the matter back to the Committee for a fresh decision.

8. The committee, if necessary, may again direct the Vigilance Committee to conduct an enquiry and specifically make an enquiry about the relationship between Nagorao and the grandfather of the petitioner and pass a fresh order.

9. This exercise be done within a period of four months from today. With this, the petition stands disposed of.

[JITENDRA JAIN, J.]

[KISHORE C. SANT, J.]