

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13891 OF 2024
WITH
INTERIM APPLICATION NO.10986 OF 2025

Bhoomi Bhaganna Koli ...Petitioner.

Versus

The State of Maharashtra and Others. ...Respondents.

WITH
WRIT PETITION NO. 13892 OF 2024

Bhaganna Jagadev Koli ...Petitioner.

Versus

The State of Maharashtra and Others. ...Respondents.

Mr. Sachinkumar Rajepandhare, for the Petitioner/Applicant.
Mr. Atul P. Vanarase, AGP, for the Respondents-State.
Mr. Vinod Y. Bhide h/f. Mr. Sandeep Y Mahajan, for the Respondent No.3.
Mr. Nagesh Chavan, for the Respondent No.4.
Ms. Rupali Andhare, Law Officer, Respondent No.2 is present.

Coram : Sharmila U. Deshmukh &
Neeraj P. Dhote, JJ.

Date : September 03, 2026.

P. C. :

1. Since common submissions are advanced by both the sides and the subject-matter of both the petitions is the orders passed by Respondent No.2 – Caste Scrutiny Committee invalidating the tribe claims of the father and daughter, the petitions are decided by this

common order. By consent of both sides, the petitions are taken up for hearing at the admission stage.

2. The Petitioners claimed to be belonging to the "Koli Mahadev" Scheduled Tribe. They were holding valid caste certificates issued by the Competent Authority. Their caste certificates were referred to the Respondent No. 2–Scrutiny Committee for verification. The Scrutiny Committee directed the vigilance inquiry. The Vigilance Cell submitted its report. The Respondent No. 2–Scrutiny Committee, by considering the documents on record and the Vigilance Cell report, passed the impugned orders invalidating the tribe claim of the Petitioners.

3. The Petitioner in Writ Petition No. 13891 of 2024-Bhoomi Bhaganna Koli is a student. This Court, by order dated 9th October 2024, protected her admission to the course of B.Tech Computer Engineering.

4. It is submitted by the learned Advocate for the Petitioners that the Petitioners recently came to know that, one of their blood relatives, namely Somanna Lakanna Koli, has been issued a validity certificate towards "Koli Mahadev" by the Respondent No. 2–Scrutiny Committee. The copy of the said validity certificate was received by them pursuant to an application moved under the Right to Information Act, 2005. He circulated the genealogy across the bar to show that the Petitioners are the blood relatives of the said Somanna Lakanna Koli. He submits that it

is the settled position in law that if one of the blood relatives receives the validity certificate, the other blood relatives cannot be deprived of the validity certificate by the Scrutiny Committee. He submits that, the impugned orders be set aside and the matters be remanded back to Respondent No. 2–Committee for fresh consideration.

5. The learned AGP appearing for Respondent No. 2–Scrutiny Committee, on instructions, from the officer of the Respondent No.2-Committee, submits that in case the matter is remanded back for fresh consideration, the Committee will examine the aspect of issuance of validity to the said Somanna Lakanna Koli and also examine whether the said Somanna is related to the Petitioners, and thereafter pass appropriate orders.

6. The learned counsel appearing for Respondent No. 5—College in Writ Petition No. 13891 of 2024 submits that appropriate orders may be passed.

7. The Respondent No. 2–Scrutiny Committee invalidated the tribe claim of the Petitioners on the ground that there was interpolation in the record of Lakappa, Tukaram, Namdeo and Khandappa, who are the blood relatives of the Petitioners. The genealogy shows that, Lakappa is the father of Sonamma. However, Somanna is issued the validity certificate. From the copy of the genealogy tendered across the bar by

the learned counsel for the Petitioners, *prima facie* it appears that the Petitioners are related to the said Somanna. The date of the certificate of validity in the name of Somanna Lakanna Koli is 16th November 2007, which is admittedly before passing of the impugned orders.

8. The impugned orders nowhere show that Respondent No. 2–Scrutiny Committee had considered the validity issued to the Somanna Lakanna Koli. Undisputedly, the copy of the validity certificate of Somanna Lakanna Koli shows that, the same was issued by Respondent No. 2–Committee itself.

9. Thus, in view of the above submissions and the factual aspects of the matter, we are inclined to set aside the impugned orders and remand the matters back to Respondent No. 2–Committee for fresh consideration in accordance with law, after considering the aspect of validity of Somanna Lakanna Koli.

10. It is informed that the admission of the Petitioner in Writ Petition No.13891 of 2024 has been cancelled by the Respondent No. 4 by communication dated 10th March 2026. Since we are remanding back the matter to the Respondent No.2-Committee, the communication dated 10th March 2026 issued by Respondent No. 4 rejecting the admissions of the Petitioner in Writ Petition No.13891 of 2024 is required to be kept in abeyance.

11. In view of the above, we proceed to pass the following order:

ORDER

- (i) The Writ Petitions are partly allowed.
- (ii) The impugned orders dated 9th September 2024 and 13th September 2024 passed by the Respondent No. 2–Scrutiny Committee are quashed and set aside.
- (iii) The tribe claims of the Petitioners are restored on the file of Respondent No. 2–Scrutiny Committee for fresh consideration and decision in accordance with law, after considering the validity of Somanna Lakanna Koli dated 16th November 2007.
- (iv) The Committee is directed to reconsider and decide the Petitioners' claim within a period of three (3) weeks from today.
- (v) The representative or lawyer of the Petitioners shall appear before Respondent No. 2–Scrutiny Committee on 7th September 2026 at 11:00 AM.
- (vi) The communication dated 10th March 2026 issued by Respondent No. 4 cancelling the admission of the Petitioner-Bhoomi Bhaganna Koli is kept in abeyance for a period of four (4) weeks from today.
- (vii) In the event, the Scrutiny Committee invalidates the claim of

the Petitioners, the Petitioners will be at liberty to challenge the same.

(viii) Both the Writ Petitions stand disposed of accordingly.

(ix) In view of disposal of Writ Petition No.13891 of 2024, the Interim application pending therein does not survive and stands disposed of.

[Neeraj P. Dhote, J.]

[Sharmila U. Deshmukh, J.]

Digitally
signed by
RAJU
DATTATRAYA
GAIKWAD
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