

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD  
WRIT PETITION NO.2166 OF 2012

Bhikubai w/o Chindu Koli

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.N.B.Khandare, advocate for the petitioner.

Mr.S.B.Pulkundwar, A.G.P. for Respondents No.1 & 2.

Mr.A.B.Tele, advocate for Respondent No.3.

**CORAM : R.M.BORDE &**

**A.I.S.CHEEMA, JJ.**

**DATE : 05th January, 2016**

**PER COURT:**

1           Petitioner is objecting to the order passed by the Scrutiny Committee on 25.08.2011, invalidating caste/tribe certificate issued in favour of the petitioner.

2           Petitioner claims to belong to Tokre Koli, a Scheduled Tribe. Since petitioner secured employment as a member belonging to Scheduled Tribe category, the tribe certificate issued in his favour came to be referred to the Scrutiny Committee for verification. After receipt of the proposal, the Scrutiny Committee directed the Vigilance Cell to conduct inquiry and tender a report. The Vigilance Cell conducted inquiry and noticed that the school record in respect of near blood relations of the petitioner indicate their caste, either as Suryawanshi Koli or Hindu Koli. In the school record of none of the blood relations of the petitioner, there is an entry of tribe "Tokre Koli", as claimed by the petitioner.

Considering contra evidence in respect of near blood relations of the petitioner, the Vigilance Cell submitted an adverse report to the Scrutiny Committee.

3           On consideration of report tendered by the Vigilance Cell and on perusal of documentary evidence produced by the petitioner, the Scrutiny Committee recorded a finding that the petitioner does not belong to Tokre Koli, a Scheduled Tribe. It is also recorded that the petitioner does not answer the affinity test and traits and characteristics of the tribe peculiar to Tokre Koli, Scheduled Tribe, are found to be absent in case of the petitioner.

4           Considering these aspects of the matter, the Scrutiny Committee, in our view, has rightly invalidated tribe claim of the petitioner. We do not find any infirmity in the order passed by the Scrutiny Committee. Writ Petition is devoid of substance.

5           Writ Petition stands dismissed.

**A.I.S.CHEEMA**  
**JUDGE**

adb/wp216612

**R.M.BORDE**  
**JUDGE**