

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 7632 OF 2012

Maroti s/o Vyankoba Kongewad

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. B.V. Virdhe, AGP for the State.

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**CORAM : R.M. BORDE &
A.I.S. CHEEMA, JJ.
DATE : 7th JANUARY, 2016.**

PER COURT :

1. None appears for petitioner.
2. Petitioner is objecting to the order passed by the Scrutiny Committee on 04.05.2012 thereby directing invalidation of the tribe certificate issued in his favour.
3. Petitioner claims to be belonging to 'Koli Mahadev' Scheduled Tribe. Certificate secured by him came to be referred for verification to the Scrutiny Committee since the petitioner was desirous of contesting elections. On receipt of the proposal, the Scrutiny Committee directed an enquiry to be conducted by the Vigilance Cell. On receipt of the report of the Vigilance Cell and on receiving documentary evidence placed on record by petitioner, the Committee came to the conclusion that the petitioner has failed to substantiate his claim. It is stated in the report of the Vigilance Cell that the petitioner is not aware of the traits and characteristics peculiar

to Koli Mahadev Scheduled Tribe. It was noticed that in the school record of the real sisters of petitioner, their caste is recorded as Koli and not as Koli Mahadev. There is absolutely no evidence placed on record, documentary or otherwise, by petitioner to substantiate his claim. Apart from this, the Committee has observed that petitioner has failed to prove socio cultural affinity with Koli Mahadev Scheduled Tribe. On perusal of the reasons recorded by Scrutiny Committee, we do not find any irregularity or inconsistency occurring therein. There is no merit in the petition. Writ petition stands rejected.

(A.I.S. CHEEMA)
JUDGE

(R. M. BORDE)
JUDGE

dyb