

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

WRIT PETITION NO. 661 OF 2021

Abhijeet S/o Sambhaji Bilpe
and another

... Petitioners.

Versus

The State of Maharashtra
and another

... Respondents.

....

Mr. Sunil M. Vibhute, Advocate for the Petitioner.
Mr. S.R. Yadav Lonikar, A.G.P. for Respondent Nos. 1 and 2.
Mr. M.D. Narwadkar, Advocate for Respondent No.3.

....

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 15th JANUARY, 2021

PER COURT:-

1. The caste claim of the petitioners as “Koli Mahadev” Scheduled Tribe is invalidated.

2. Mr. Vibhute, learned counsel for the petitioners submits that the real brother of the petitioners Mandar Sambhaji Bilpe had applied for grant of validity certificate, the same was invalidated. He filed writ petition bearing No.9504 of 2018. This Court under order dated 14.08.2018 allowed the writ petition and directed to grant validity to the real brother of the petitioner namely Mandar Sambhaji Bilpe.

3. The learned AGP appears for respondent Nos. 1 and 2. Mr. Narwadkar, the learned Counsel appears for respondent No.3. Learned AGP does not dispute the relationship of the present petitioners with Mandar i.e. the petitioner in writ petition No.9504 of 2018 decided on 14.08.2018.

4. In the light of the above, we follow the same course as in case of Mandar Sambaji Bilpe.

5. The impugned order is quashed and set aside. The committee shall issue validity certificate to the petitioner of "Koli Mahadev" (Scheduled Tribe) immediately. The said validity certificate shall be subject to the decision that would be taken by committee in the proceedings re-opened of the validity holders relied by the petitioner.

6. The writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane