

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

910 WRIT PETITION NO.1017 OF 2021

CHANDRAHAS BABASAHEB SABLE AND ANOTHER
..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Deepak D. Choudhari, Advocate for the
Petitioners.
Mr. S. R. Yadav Lonikar, AGP for Respondents-State.
...

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

DATED : 20th JANUARY, 2021.

PER COURT:-

1. The present petition is entertained only to the extent of petitioner no.2. As far as petitioner no.1 is concerned leave is granted to delete petitioner no.1. The petitioner no.1 may file separate petition challenging the impugned order.

2. The learned counsel submits that the real sister of the petitioner Kiran Chandrahas Sable is issued with the validity certificate of the "Koli Mahadev", Scheduled Tribe. The cousin uncle of the petitioner Bhausahab Jagannath Sable is also issued with the validity certificate of "Koli Mahadev", Scheduled Tribe. Another cousin grandfather of the petitioner Eknath Bhanudas is issued with the

validity certificate of "Koli Mahadev", Scheduled Tribe. The learned counsel submits that vigilance was conducted while granting validity to Eknath Bhanudas cousin grandfather of the petitioner.

3. The learned A.G.P. submits that four documents have been found to be manipulated by the vigilance, wherein the word 'म' has been added subsequently. The petitioner has failed to prove the affinity test.

4. It appears that, show cause notices are issued to the validity holders relied by the petitioner. The real sister of the petitioner, one paternal cousin of the petitioner and one paternal cousin grandfather of the petitioner are issued with the validity certificate of "Koli Mahadev", Scheduled Tribe.

5. The show cause notices are already issued to the validity holders relied by the petitioner.

6. In light of that, we pass the following order:

ORDER

- a. The impugned order is quashed and set aside.
- b. The respondents shall issue validity certificate to the petitioner of "Koli

Mahadev", Scheduled Tribe immediately.

- c. The said validity certificate shall be subject to the decision that would be taken by the Committee in the proceedings reopened of the validity holders relied by the petitioner.

7. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE