

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

1001 WRIT PETITION NO.6311 OF 2019

RUPESH RAVISHANKAR MARKANT
VERSUS
THE STATE OF MAHARASHTRA AD OTHERS

...

Advocate for Petitioner : Mr. S.C. Yeramwar
AGP for Respondents 1 & 2 : Mr. P.S. Patil
Advocate for Respondent 3 : Mr. A.S. Bayas

...

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, JJ.**
DATED : 03/12/2021.

PER COURT :

. The caste claim of the petitioner as 'Koli Mahadev' - Scheduled Tribe is invalidated.

2. Amongst the other submissions, one of the submission made by the learned counsel Mr. Yeramwar for the petitioner is that, the real paternal uncle's daughter namely Vinaya had also applied for validity certificate. The same was invalidated. She filed writ petition before this Court bearing No. 8344/2020. Under the judgment and order dated 17th December, 202, this Court directed the Committee to issue validity certificate to her.

3. The learned AGP submits that there are contra entries on the record. The petitioner failed in the affinity test. The contra entries

are not the subject matter of consideration when the father of the petitioner and paternal aunt of the petitioner were issued with the validity certificates.

4. We have considered the submissions. The relationship of the petitioner with Vinaya daughter of Sadanand Markante is not disputed. Vinaya is the daughter of the real uncle of the petitioner. In her case, this Court had directed the committee to issue validity certificate.

5. In view of the said order dated 17th December 2020 in Writ Petition No. 8344/2020 we follow the same course and pass the following order.

ORDER

(I) The Committee shall issue validity certificate to the petitioner of 'Koli Mahadev' Scheduled Tribe immediately. The said validity certificate would be subject to the decision that would be taken by the Committee in the proceedings that may be reopened of the validity holders relied upon by the petitioner.

(II) Writ petition is accordingly disposed of. No costs.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]