

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

1008 WRIT PETITION NO.10429 OF 2021

NITIN SHIVAJI SHEJUL

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND ANOTHER

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Advocate for Petitioner : Mr. Deepak Choudhari & Sahil Deepak Choudhari.

AGP for Respondent/State: Mr. P. K. Lakhotiya.

...

CORAM : **S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE : 25th November, 2021.

PER COURT:

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

2 Among other submissions, one of the submission of the learned counsel for petitioner is that the near paternal relative of the petitioner namely Manorama Chandrakant Shejul had also applied for caste validate certificate of Koli Mahadev Scheduled Tribe. The same was invalidated. She filed Writ Petition No.8946 of 2018. This Court under the order dated 3rd August, 2018, allowed the said writ petition directing the Committee to issue validity certificate to her.

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

4 On the last date, we had asked the learned AGP to verify about the relationship of the petitioner with Manorama Chandrakant Shejul. The learned AGP, on instructions of the Committee members, accedes that Manorama Chandrakant Shejul is the paternal relative of the petitioner.

5 In view of the order of this Court dated 3rd August, 2018 in Writ Petition No.8946 of 2018, we pass the same order:

ORDER

- I. The Committee shall issue validity certificate to the petitioner of Koli Mahadev Scheduled Tribe.
- II. The said 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.
- III. We have said so because this Court in the case of Manorama Chandrakant Shejul had also passed the conditional order.
- IV. The writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]