

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1071 OF 2022

SHIVSANKET BHAGWAN SAPKAL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioners : Mr. P.V. Jadhavar
AGP for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent No. 3 : Mr. M.D. Narwadkar.

**CORAM : S.V. GANGAPURWALA AND
S.G. DIGE, JJ.**

DATE : 20TH JANUARY, 2022

PER COURT :

The caste claims of the petitioners belonging to 'Koli Malhar' Scheduled Tribe are invalidated.

2. Amongst other submissions, one of the submission of the learned Advocate for the petitioner is that the paternal relatives of the petitioners namely Vaibhav Dagduba Sapkal and Abhijeet Dagduba Sapkal had also applied for the issuance of validity certificate of Koli Malhar Scheduled Tribe. Their claims were invalidated. Vaibhav Dagduba Sapkal had filed Writ Petition before the Division Bench of this Court at Principal Seat at Bombay bearing Writ Petition No. 7490/2018. The Division Bench of this

Court at Principal Seat at Bombay under the judgment and order dated 25.07.2018, in Writ Petition No. 7490/2018, directed the Committee to issue validity certificate to him. Similarly, Abhijeet Dagduba Sapkal had filed Writ Petition bearing No. 11193/2021, before the Division Bench of this Court. The Division Bench of this Court under order dated 27.10.2021 in Writ Petition No. 11193/2021, directed the committee to issue validity certificate to him.

3. Learned Counsel for the petitioners submits that there are 23 validity certificates issued to the family members of the petitioners including the father of the petitioners.

4. We have heard the learned AGP also.

5. The relationship of the petitioner with Vaibhav and Abhijeet who had filed the aforesaid Writ Petitions is not disputed. In view of that, we follow the same course and pass following order.

6. The committee shall issue validity certificates to the petitioners of Koli Malhar Scheduled Tribe. The said validity certificates shall be subject to the decision that would be taken by the committee in the proceedings

re-opened of the validity holders relied by the petitioners.

7. Writ Petition is disposed of. No costs.

(S.G. DIGE, J.)

(S.V. GANGAPURWALA, J.)