

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

937 WRIT PETITION NO. 3201 OF 2022

MAROTI DILIP JETEWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Vibhute Sunil M.
AGP for Respondents : Mr. S.K. Tambe
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 17 OCTOBER 2023

PER COURT :

Heard both the sides.

2. The petitioner is challenging the order of invalidation, whereby, his tribe certificate of 'Koli Mahadev' scheduled tribe was confiscated and cancelled under Section 7 (2) of the Maharashtra Scheduled Caste, Scheduled Tribes, De-notified Tribes, (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of issuance and Verification of) Caste Certificate Act, 2000.

3. In fact, the impugned order was a common order in respect of four individuals including the petitioner.

4. In Writ Petition No. 1703 of 2022 and 1723 of 2022, two of the other two individuals namely Yogini Ramesh Jetewad and Shradha Dilip Jetewad had challenged the same order. By a common order dated 19 July 2023, we allowed the Writ Petition partly and the two girls

were directed to be issued certificates of validity subject to certain conditions.

5. Since it was a common order, for the self same reasons as has been recorded in the matter of Yogini and Shradha, we dispose of the writ petition by passing following order:

ORDER

- i. The writ petition is partly allowed.
- ii. The impugned judgment and order dated 28 January 2022, passed by respondent no. 2 – Scrutiny Committee, is quashed and set aside.
- iii. The respondent no. 2 – Scrutiny Committee shall issue validity certificates of 'Koli Mahadev' (Scheduled Tribe) to the petitioner within a period of two weeks from today on following conditions.
 - a) That the validity certificates shall be subject to outcome of re verification of the validity certificates undertaken by the Scrutiny Committee.
 - b) The petitioners shall co-operate with the Scrutiny Committee in the matter of re-verification by the committee.
 - c) The Scrutiny committee shall conclude the proceedings of re-verification of the validity

certificates of the validity holders as early as possible and in any case within a period of six months from today.

d) The petitioners shall not claim any equities.

iv. The writ petition is disposed of. There shall be no order as to costs.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

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