

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

WRIT PETITION NO. 13655 OF 2021

Snehal Abhimanya Jamadar

...Petitioner

Versus

1. The State of Maharashtra

Through Its Secretary

Tribal Development Department, Mumbai.

2. The Scheduled Tribe Certificate Scrutiny Committee,

Aurangabad Division, Aurangabad.

3. The Principal,

Dayanand Science College,

Latur, District Latur.

...Respondents

...

Advocate for Petitioner : Mr. Bayas Anandsingh

AGP for Respondent No.1 and 2 : Mr. S.G. Sangale

Advocate for Respondent No.3 : Adv. Anjali Dube (Bajpai)

...

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

DATE : 1 SEPTEMBER 2023

PER COURT :

1. Heard both the sides finally.

2. The petitioner is challenging the order passed by the respondent no.2/Scrutiny Committee, invalidating her tribe certificate of Koli Mahadev scheduled tribe.

3. It appears that in fact the impugned order was a common order in respect of the petitioner and her cousin Gauri Vijay Jamadar. It has

been observed that both of them are from the same family and related by blood, as the reason for the Committee to decide their proposals together.

4. The petitioner's cousin Gauri had already subjected the selfsame order under challenge before this Court in Writ Petition No.7570/2021. By the order dated 28.10.2021, for the reasons recorded therein the impugned order was quashed and set aside and the Committee was directed to issue certificate of validity to Gauri, which was made subject to the final outcome of the proceedings which the Committee had decided to reopen in respect of the validity holders. This Division Bench being a coordinate bench cannot undertake another scrutiny parallelly in respect of the legality of the selfsame order.

5. We allow the writ petition partly for the same reasons.

6. The impugned order is quashed and set aside even to the extent of the present petitioner. The respondent no.2/Scrutiny Committee shall immediately issue certificate of validity to the petitioner as belonging to 'Koli Mahadev' scheduled tribe, which shall be subject to the final outcome of the proceedings which the Committee had decided to reopen in respect of the validity holders.

7. The petitioner shall not be entitled to claim equities.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]