

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

WRIT PETITION NO. 8230 OF 2023

SHUBHAM GANESH SURYAWANSHI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND ANOTHER

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Advocate for Petitioners : Mr. Boinwad Omgashad B.

AGP for Respondents/State : Mr. S. K. Tambe

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

DATE : 13 JULY 2023.

PER COURT :

. Heard the learned Advocate for the petitioners and the learned AGP finally, even if it is first date and a fresh matter because of the peculiar reason to be discussed hereinafter.

1. The petitioners who are real brothers interse and four other individuals namely, Sonali Laxman Suryawanshi, Shubhangi Laxman Suryawanshi, Laxman Bhikaji Surywanshi and Seema Ganesh Suryawanshi, were before the respondent no.2/Scrutiny Committee seeking validation of their tribe claim as 'Koli Mahadev'. Since they are blood relatives interse through parental side, cases of all these six individuals were disposed of by a common judgment and order considering the same material. In Writ Petition No.3041/2022 and

connected matters, this Court by order dated 22.06.2023 for the reasons recorded in that order, directed validity certificates to be issued to Sonali Laxman Suryawanshi, Shubhangi Laxman Suryawanshi and Seema Ganesh Suryawanshi. The latter happens to be real sister of these petitioners. Pertinently, real sister of Shubhangi and Sonali by name Vidya was granted validity certificate by this Court in Writ Petition No.8158/2020.

2. In the light of above, even these petitioners' claim for validation of their tribe claim needs to be accepted on similar lines making those validities subject to the outcome of the decision to be taken by the Scrutiny Committee in the matters, which are reopened or are being reopened.

3. The writ petition is partly allowed in the following terms.

- (i) The impugned order to the extent of these petitioners, is quashed and set aside.
- (ii) The Scrutiny Committee shall issue validity certificate to both of them of 'Koli Mahadev' within two weeks.
- (iii) The validity certificate shall be subject to the outcome of the cases, which have already been or to be reopened.
- (iv) The petitioners and his blood relatives shall cooperate with the Scrutiny Committee in early decision of the reopened matters.
- (v) The petitioners shall not claim any equity.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]