

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

940 WRIT PETITION NO. 9486 OF 2019

ANUJA SHIVAJIRAO GANLAWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondents : Mr. S.B. Yawalkar
...

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

DATE : 21 SEPTEMBER 2023

PER COURT :

Heard both the sides finally.

2. The petitioner is challenging the common order passed by respondent no. 2 – Scrutiny Committee in the proceeding under Section 6 of the Maharashtra Scheduled Castes, 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, thereby, confiscating and canceling her tribe certificate of 'Koli Mahadev' scheduled tribe.

3. In fact, it was a common order in the matter of petitioner and two other individuals namely Madhavrao Shivaji Ganlawad and and Shivajirao Maneji Ganlawad. Madhavrao had questioned the legality of the self same judgment and order by filing Writ Petition No. 9039 of 2019. This Court (Principal Seat) by the order dated 20 August 2019, for the reasons mentioned therein had allowed the Writ Petition

and directed the Committee to issue the validity certificate to him which was made subject to the condition.

4. When a coordinate bench has examined the legality of the self same order which is under challenge in this petition, we cannot take a different view.

5. For the reasons mentioned in the matter of Madhavrao, we allow the Writ Petition partly. The impugned order is quashed and set aside even to the extent of petitioner Anuja. The Committee shall now issue certificate of validity to her of 'Koli Mahadev' scheduled tribe. This validity would be subject to the final outcome of the matters which the Committee has decided to reopen in respect of the validity holders.

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

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

spc/