

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

1040 WRIT PETITION NO. 11180 OF 2018

VAISHNAVI SHIVSHANKAR MORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Jadhavar Pratap V.
AGP for Respondents : Mr. A.S. Shinde
...

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

DATE : 27 JULY 2023

PER COURT :

Leave granted to add Scrutiny Committee, Kinwat, Head Quarter at Aurangabad, as a party respondent.

2. Issue notice to respondents. Learned AGP waives for all respondents.

3. Heard both the sides finally.

4. The petitioner is challenging the order, whereby, her tribe claim as belonging to 'Koli Mahadev' scheduled tribe, has been turned down by respondent no. 2 – Scrutiny Committee.

5. We have considered the rival submissions and perused the record.

6. Suffice for the purpose to observe that petitioner's cousin Nagesh Balaji More, has been granted conditional validity pursuant to our order in Writ Petition No. 11075 of 2022, by the order dated 10 July

2023. Pertinently, we had relied upon the orders passed by this Court in respect of other blood relations namely Shivaji Jaywant More, Nagnath Vinayak More and Virendra Gopalrao More. Ultimately, we had directed the Scrutiny Committee to issue validity certificate to Nagesh, subject to outcome of the matters which the Committee has decided to reopen for the alleged fault.

7. Since it is a matter of social status based on the validity certificates of the blood relations from the paternal side, as laid down in the matter of [*Apoorva Nichale vs. Divisional Caste Certificate Scrutiny Committee and others*, 2010\(6\) Mh.L.J. 401](#) and [*Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Versus State of Maharashtra and Others*, 2023 SCC Online SC 326](#), we allow the Writ Petition partly. The impugned order is quashed and set aside.

8. The respondent no. 2 – Scrutiny Committee shall now issue validity certificate to the petitioner as belonging to 'Koli Mahadev' scheduled tribe, immediately. Such validity certificate shall be subject to the decision in the matters which the Committee intends to reopen. The petitioner shall not claim the equity.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]