

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

WRIT PETITION NO. 9668 OF 2023

Aditya s/o Gopalrao More,
Age 19 years, Occ. Student,
R/o. Murtijapur Sawangi,
Tq. Aundha Nagnath, Dist. Hingoli

... **Petitioner**

VERSUS

- 1) The State of Maharashtra
- 2) The Scheduled Tribe Certificate
Verification Committee, Kinwat Headquartered
at Aurangabad, Through its Deputy Director (R)

... **Respondents**

...

Advocate for the Petitioner : Mr. Boinwad O. B.
A.G.P. for the Respondents/State : Mr.A.A. Jagatkar

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

DATE : 07.08.2023

PER COURT :

We have heard both the sides.

2. The petitioner has challenged the order of the invalidation of his tribe claim of 'Koli Mahadev' scheduled tribe by the respondent no. 2-scrutiny committee.

3. After hearing both the sides it transpires that the petitioner's real brother Virendra had faced invalidation and this Court allowed his Writ Petition No. 4577/2021 by the order dated 22.03.2021 and directed validity certificate to be issued to him, which was made subject to the decision to be taken by the committee in the proceedings it had intended to reopen, as is

the case in the matter in hand.

4. Pertinently, that order was passed by relying upon the order passed by a coordinate bench at the Principal Seat in Writ Petition No. 7509/2018 and Writ Petition No. 127/2021 in the matters of Shivani Jaywant More and Shweta Jaywant More on 24.07.2018 and 07.01.2021 respectively.

5. For the reasons recorded in the order passed in the matters of Shivani and Shweta, we allow the writ petition partly. The impugned order is quashed and set aside.

6. The respondent no. 2-scrutiny committee shall issue validity certificate to the petitioner as 'Koli Mahadev' scheduled tribe immediately. Its validity shall be subject to the final out come of the matters which the committee has decided to reopen.

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

(SHAILESH P BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-