

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

WRIT PETITION NO.13124 OF 2023

1. Suyog d/o Satish Nidebane
2. Ashwini d/o Narayan Nidebane ... **PETITIONERS**

VERSUS

1. The State of Maharashtra
Department of Tribal Development
Mantralaya, Mumbai - 32
through its Secretary
2. The Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad Region
Aurangabad through
its Member Secretary ... **RESPONDENTS**

...

Advocate for Petitioners : Mr. Jadhav Vivek U.
AGP for Respondents: Mr. A.S. Shinde

...

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

DATE : 18.10.2023

PER COURT :

Heard the learned advocate for the petitioners and the learned AGP.

2. The petitioners are challenging the order dated 17.11.2021 of the respondent – Scrutiny Committee thereby confiscating and cancelling their tribe certificates of ‘Koli Mahadev’.

3. In fact, the impugned order was a common order in respect of the petitioners and Sanket who happens to be the brother of the petitioner Suyog and one Madhuri Trimbakrao Nidebane.

4. Sanket in writ petition No.2308/2022 had challenged the selfsame order. By the order dated 18.02.2022, the writ petition was allowed and he was directed to be issued with a certificate of validity subject to the decision to be taken by the Committee in the proceedings it had decided to reopen in respect of the validity holders.

5. Since legality and sustainability of the selfsame order has been examined by this Court in Sanket's matter, the propriety demands that we follow the course.

6. For the selfsame reasons as mentioned in the order dated 18.02.2022, the Writ Petition is partly allowed. The Scrutiny Committee shall issue validity certificates to the petitioners of "Koli Mahadev" Scheduled Tribe.

7. The said validity certificates shall be subject to the decision that would be taken by the Committee in the proceedings reopened of the validity holders relied by the petitioners.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)