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

904 WRIT PETITION NO. 3889 OF 2024

Kailash s/o Maruti Ghate,
Age: 34 years, Occu : Service,
r/o : 198, Brahman Galli,
Naldurg, Tal.: Tuljapur,
Dist. : Osmanabad

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32
2. The Sub Divisional Officer,
Umarga, Dist. : Osmanabad
3. The Scheduled Tribe Certificate
Scrutiny Committee,
Through its Vice Chairman,
Aurangabad

....RESPONDENTS

....

Mr Krishna Pratap Rodge, Advocate for Petitioner;
Mr S. R. Yadav Lonikar, A.G.P. for Respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 2nd July, 2024

ORAL JUDGMENT (PER : Ravindra V. Ghuge, J.)

1. Rule. Rule made returnable forthwith and heard finally by the consent of the respective sides.

2. The Petitioner contends that, as on date, there are four paternal blood relatives, who have received the 'Koli Mahadev' Scheduled Tribe certificates. Out of these four, two relatives have received the validity certificates.

3. The Petitioner, Kailash Maruti Ghate is from the branch of Mallappa Appa Ghate (Grandfather). Shankarrao Mallappa Ghate and Apparao Mallappa Ghate are the biological brothers of the Petitioner's father Maruti Mallappa Ghate. Surekha Shankarrao Ghate and Tatyrao Shankarrao Ghate are the siblings, who have received validity certificates. From the branch of Revappa Appa Ghate, who is the biological brother of Mallappa Appa Ghate, Ranjit Narayan Ghate and his son Om Ranjit Ghate (grandson of Revappa), also has a tribe certificate.

4. Recently, Shubham Tatyrao Ghate, who is the grandson of Shankarrao Mallappa Ghate, and his biological

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brother Dnyaneshwar Tatyarao Ghate, have received tribe certificates under the orders of the Co-ordinate Bench of this Court, dated 12/06/2024, in Writ Petition No.5485/2024. In the same Petition, Gangadhar Jitendra Ghate, who is the grandson of Apparao Mallappa Ghate and Radhika Maruti Ghate, who is the great grand-daughter of Mallappa Ghate and who is the biological sister of the present Petitioner Kailash, have also received the tribe certificates under the same orders of this Court.

5. In this backdrop, we are not required to look any further. This **Writ Petition is partly allowed**. The impugned order dated 19/03/2020, passed by the Sub Divisional Officer, Omerga and the impugned order dated 04/04/2024, passed by the Competent Scrutiny Committee, Chhatrapati Sambhajnagar, are quashed and set aside.

6. Considering that the above mentioned paternal relatives have received 'Koli Mahadev' Scheduled Tribe certificates with the wrong spelling as "Koli Mahadeo" instead of "Koli Mahadev", we grant liberty to all these persons to approach the concerned Competent Authority for correction in their

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certificates. Needless to state, the present Petitioner shall be issued with the “Koli Mahadev” Scheduled Tribe certificate with the proper spelling.

7. Rule is made partly absolute in the above terms.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk