



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7192 OF 2024

Apurva Shriram Waghmare

... PETITIONER

VERSUS

1. The State of Maharashtra
through its Secretary
Tribal Development
Mantralaya, Mumbai
2. The Scheduled Tribe
Certificate Scrutiny Committee
Aurangabad Division, Aurangabad

... RESPONDENTS

...

Advocate for the Petitioner : Mr. R.K. Mendadkar h/f.

Mr. Bayas Anandsingh Sangramsingh

AGP for Respondents : Mr. R.S. Wani

...

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

DATE : **19.07.2024**

PER COURT:

Heard both the sides finally.

2. The petitioner is challenging the order of invalidation.
3. It is being pointed out that the petitioner's father possesses a certificate of validity that to pursuant to the orders of this Court in Writ Petition No.561/2021 dated 20.09.2021 (Nagpur bench). It is startling that in the reply filed by the petitioner to the vigilance report, he had expressly attempted to bring this fact to the notice of the Committee,

however, there is absolutely no whisper about it in the entire impugned judgment and order. Even while discharging such a serious function the committee seems to be negligent.

4. The learned AGP submits that a proposal has already been forwarded to the Government for putting up a challenge to the judgment of this Court in the matter of petitioner's father.

5. The petitioner's father was directed to be issued with certificate of validity by the order passed way back on 20.09.2021. In spite of lapse of these many years, the State is still to challenge that judgment and order. The petitioner cannot be denied the benefit which he can derive from such validity of father. It is unbecoming of the Committee to ignore this validity.

6. The writ petition is allowed. The impugned order is quashed and set aside. The Committee shall immediately issue certificate of validity to the petitioner of 'Koli Mahadev' scheduled tribe.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

habeeb