



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 WRIT PETITION NO. 7604 OF 2024

MAKRAND BHAGWAN BILPE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND ANOTHER

...
Advocate for petitioner : Mr. S.M. Vibhute
AGP for the respondent – State : Mr. K.N. Lokhande
...

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

DATE : 30 JULY 2024

ORAL ORDER (SHAILESH P. BRAHME, J.) :

Heard both the sides finally, considering the urgency expressed by the petitioner.

2. The petitioner is challenging the order of confiscation and invalidation of his tribe certificate dated 12-07-2024 passed by the respondent - scrutiny committee.

3. Petitioner relies on the validity certificate issued to his father – Bhagwan, cousin grandfather – Sambhaji Mokinda and Ashok Vishwanath as well as cousins - Bhagyashri, Mandar and Abhijeet.

4. It reveals from record that Mandar Sambhaji is the first validity holder, relying upon his validity, Ashok Vishwanath was issued with validity certificate. These two validity certificates are referred while

granting validity certificate to petitioner's father – Bhagwan. It further reveals that Mandar Sambhaji was issued certificate of validity by order dated 14-08-2018 in writ petition no. 9504 of 2018. Abhijeet and Bhagyashri were issued with validity certificate by the orders of this Court in writ petition no. 661 of 2021 dated 15-01-2021. Selfsame record has already been scrutinized by scrutiny committee as well as the High Court.

5. Unless, the validities referred above are recalled, the petitioner cannot be deprived of same social status. We are of the considered view that the petitioner is entitled to receive validity certificate on certain conditions.

6. As learned counsel for the petitioner is ready to abide by the conditions contemplated in ***Shweta Balaji Isankar Vs. State of Maharashtra and others (writ petition no. 6320 of 2017)***, it would be appropriate to issue validity certificate to the petitioner on certain conditions.

7. We find that the impugned judgment and order is unsustainable.

8. We, therefore, pass the following order :-

I) Impugned judgment and order is quashed and set aside.

II) Respondent - scrutiny committee shall issue validity certificate to the petitioner and the same shall be subject to the re-verification proposed by the scrutiny committee.

III) Petitioner shall not claim any equity.

9. Writ petition is allowed partly.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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