

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

**913 WRIT PETITION NO. 8874 OF 2022
WITH CIVIL APPLICATION NO. 13114 OF 2024**

**SHASHIDHAR RAJDHAR SAWALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

...

Mr. S.C. Yeramwar, Advocate for the applicant.
Mr. M.K. Goyanka, A.G.P. for respondent Nos.1 to 3.

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**CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.**

DATED : 19 DECEMBER 2024

ORDER:-

- . Heard both sides.
2. The amendment is allowed to be carried out.
3. The learned Advocate for the petitioner points out that one Durgesh Shashidhar Sawale, petitioner's son, was granted certificate of validity pursuant to the order of this Court in Writ Petition No. 14081 of 2021 dated 20.12.2021. While passing the impugned order, in spite of the order in the matter of Durgesh having been pointed out, the Committee refused to extend its benefit. However, subsequently in the matter of petitioner's daughter Aditi and sister Surekha, by the order dated 03.06.2024 referring to the order of the High Court in the matter of Durgesh coupled with few other validities of the

petitioner's father Rajdhar, one Samira Pravin Sawale and Saniya Vinayak Sawale, Surekha and Aditi have been held entitled to certificates of validity by the present Committee. He also points out that incidentally the Committee which passed the impugned order and also the order in the matter of Aditi and Surekha, was headed by the same individual who was the Vice President and Assistant Commissioner.

4. Learned A.G.P., on instructions, confirms the fact that indeed, Surekha and Aditi have been held entitled to have certificates of validity based on the validities of above blood relations including that of Durgesh.

5. In the light of the above, when the petitioner's son, daughter, sister and father possess certificates of validity issued from time to time, he cannot be singled out.

6. The writ petition is allowed partly. The impugned order is quashed and set aside.

7. The Committee shall immediately issue certificate of validity to the petitioner of "Koli Mahadev" scheduled tribe.

8. The Civil Application is also accordingly disposed of.

(PRAFULLA S. KHUBALKAR)
JUDGE

(MANGESH S. PATIL)
JUDGE