

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 WRIT PETITION NO. 8624 OF 2024

SHUBHAM UMAKANT GHANTE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Jadhavar Pratap V.
AGP for Respondent Nos. 1 to 3 : Mrs. S.S. Joshi

...

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

DATE : 14 AUGUST 2024

PER COURT :

Heard.

2. The petitioners are challenging the common order of respondent no. 2 – Scrutiny Committee invalidating their ‘Koli Mahadev’ scheduled tribe certificates.

3. Issue notice to respondent nos. 1 to 3. Learned AGP waives service of notice for all of them.

4. Considering the fact that the impugned judgment and order is common order in the matter of both these petitioner and one Varsharani Vasant Ghante and taking into account the fact that

in Writ Petition No. 7719/2024, Varsharani had challenge the self same judgment and by the order dated 08 August 2024, for the reasons recorded therein, she was held entitled to have a certificate of validity subject to certain condition, no separate judgment and order can be passed in matter of the petitioners in respect of the self same order of the Scrutiny Committee which has already been set aside in the matter of Varsharani.

5. The writ petition is allowed partly. For the self same reasons as we have recorded in the matter of Varsharani, the impugned judgment is quashed and set aside even to the extent of the petitioners. We, therefore, pas following order :

ORDER

- a. The writ petition is partly allowed.
- b. Impugned order dated 31.05.2024 passed by the respondent no. 2 / Scrutiny Committee is quashed and set aside to the extent of the petitioner.
- c. The respondent no. 2 / Scrutiny Committee shall immediately issue certificate of validity to the petitioner of 'Koli Mahadev' (Scheduled Tribe) in prescribed proforma G without incorporating any conditions.

d. Certificate of validity would be subject to the outcome of reverification to be undertaken by the Committee of the validity holders.

e. Petitioners shall not be entitled to claim equities.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]