



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9333 OF 2024

JANHVI SOPAN EBITWAR

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
2. THE SCHEDULED TRIBE CASTE CERT. VERIFICATION COMMITTEE
KINWAT, HQ AT CHH. SAMBHAJI NAGAR, THR. ITS DY. DIRECTOR (R)

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Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute

AGP for Respondents: Mr. S.P. Joshi

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

DATE : 29.08.2024

PER COURT:

Heard.

2. Issue notice to the respondents for final disposal. Learned AGP waives service for both the respondents.
3. At the joint request, the matter is heard finally at the stage of admission today itself.
4. The petitioner is aggrieved by the order, whereby, the respondent - Scrutiny Committee has refused to validate his 'Gond' scheduled tribe certificate.
5. It transpires during the course of hearing that in the wake of exigency being demonstrated by the petitioner, she was allowed to adopt the reply filed by her brother to a vigilance inquiry report conducted in

his own matter. Incidentally, her brother Jay Sopan Ebitwar in Writ Petition No.8272/2020, by the order dated 16.12.2020, for the reasons recorded therein, was held entitled to have a certificate of validity subject to the final outcome of the matters which the Committee had decided to reopen.

6. Since the selfsame material/evidence as was considered by this Court in the matter of Jay is the basis for invalidation of petitioner's claim, no different view is possible to be taken, since no additional evidence is being relied upon by either side.

7. The writ petition is allowed partly. The impugned order is quashed and set aside. For the reasons recorded in the matter of Jay Sopan Ebitwar even the present petition is allowed. The Committee shall immediately issue certificate of validity to the petitioner of 'Gond' scheduled tribe, which shall be subject to the final outcome of the matter which the Committee has decided to reopen.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

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