



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

51 WRIT PETITION NO. 9367 OF 2024

- 1) Sujal s/o Ashok Gadge,
Age 18 years, Occ. Student.
- 2) Sneha d/o Yashwant Gadge,
Age 20 years, Occ. Student.
Both r/o. Gandhi Chowk, Biloli,
Tq. Biloli, Dist. Nanded.

... **Petitioners**

VERSUS

- 1) The State of Maharashtra
- 2) The Scheduled Tribe Certificate
Verification Committee Kinwat,
having its head office
at Chhatrapati Sambhajanagar.

... **Respondents**

Advocate for Petitioner : Mr. Boinwad Omgashad B.

A.G.P. for Respondent Nos. 1 & 2 : Mrs. S.S. Joshi

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

DATE : **02.09.2024**

PER COURT :

The petitioners, who are cousins, are challenging the common judgment and order whereby the respondent-scrutiny committee has refused to validate their '*Koli Mahadev*' scheduled tribe certificates.

2. We have heard both the sides finally in the light of the urgency being demonstrated by the petitioners.

3. Without indulging into threadbare scrutiny of the merits of the matter it would suffice to note that admittedly, there are number of validities in the family issued over a period of time. Even if the committee has now made certain observations touching the manner in which those were obtained, admittedly, Sunil Gangaram Gadage was granted a clear certificate of validity pursuant to the orders of this Court in Writ Petition No. 4504/2002,

by the judgment and order dated 05.05.2015.

4. Independently, in different proceedings pursuant to the orders of this Court, subsequently eight individuals related to the petitioners by blood were issued with certificates of validity.

5. Needless to state that since the social status is defined in the peculiar manner, depending upon the validity possessed by an individual from the paternal side blood relationship, when Sunil Gangaram Ghadge, whose validity is expressly referred to by the committee in the impugned judgment and order has received blanket validity, the overenthusiasm of the committee in seeking to take exceptions to some of the other validities on the ground that those were obtained by suppressing contradictory evidence is of no consequence. Everything would depend upon the decision in the matter of Sunil Gangaram Gadge, till the time his validity is in existence, pursuant to the orders of this Court, the exercise sought to be undertaken by the committee to inquire into the fraud practised by some other individuals from the family would be inconsequential.

6. The committee, for the reasons best known to it has not even considered this aspect of the matter albeit referred to the validity of Sunil Gangaram Gadge.

7. The writ petition is allowed partly.

8. The impugned judgment and order is quashed and set aside. The respondent no. 2-committee shall immediately issue certificates of validity to the petitioners of '*Koli Mahadev*' scheduled tribe, which shall be coterminous with the validity of Sunil Gangaram Gadge.

9. The petitioner shall not be entitled to claim equities.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-