



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9758 OF 2024

ANUJA RAMESHRAO PITTHALWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioner : Mr. Thorat Chandrakant R.

AGP for Respondents : Mr. B.N. Dhanure

...

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

DATE : 05 SEPTEMBER 2024

PER COURT [*Shailesh P. Brahme, J.*] :

1. Heard both the sides finally as the petitioner has been allotted a college and she wants to rely on validity certificate.
2. This petition is directed against judgment and order dated 21.08.2024, invalidating tribe certificate of the petitioner. She relies on validity certificate issued to her real sister, Sneha Rameshrao Pitthalwad by High Court.
3. Learned AGP would support impugned judgment and order. It is submitted that the Committee has proposed reverification of validity of petitioner's sister. The Committee has rightly discarded the validity certificate.
4. We have gone through our judgment and order dated 30.06.2023 in Writ Petition No. 4975/2023 in the matter of Sneha

Rameshrao Pitthalwad real sister of the petitioner. The self same record was considered by us in that matter. We propose to adopt same reasoning and the course. It is not necessary to discuss the material pressed into service. Unless certificate of validity of Sneha is revoked, the petitioner cannot be denied same social status.

5. The petitioner is ready to face the consequences as per *Shweta Balaji Isankar Versus State of Maharashtra and others*, in Writ Petition No. 5611/2018. She is entitled to receive conditional validity. We, therefore, pass following order :

ORDER

- (i) The writ petition is allowed partly.
- (ii) The impugned order dated 21.08.2024 passed by the respondent no.2/Scrutiny Committee is quashed and set aside.
- (iii) Since the petitioner is required to submit the certificate of validity to secure the admission today itself and has been allotted a college at Ahmednagar, the respondent no. 2/Scrutiny Committee shall immediately issue the certificate of validity to the petitioner as belonging to 'Koli Mahadev' scheduled tribe in the prescribed proforma.
- (iv) The validity shall be co-terminus with the validity of the earlier validity holders.
- (v) The petitioner shall not be entitled to claim equities.

(vi) Learned AGP and the Law Officer of the Committee who are present, shall ensure that the decision is immediately communicated to the Committee.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]