



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

WRIT PETITION NO. 10436 OF 2024

1. TWARITA RAGHUTTAM NAIKWADE
2. GAURAV RAGHUTTAM NAIKWADE

**VERSUS**

THE STATE OF MAHARASHTRA  
THROUGH ITS SECRETARY AND ANOTHER

...

Advocate for Petitioners : Mr. Boinwad Omgashad B.

AGP for Respondents/State : Mr. S.P. Joshi

...

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

**DATE : 04 OCTOBER 2024**

**PER COURT :**

. The petitioners are challenging the order of invalidation.

2. Learned advocate for the petitioners submits that petitioners' real sister – Dipali who had faced a similar invalidation, had challenged the order of the Committee and in Writ Petition No.10402/2017 by the order dated 05.10.2017 for the reasons recorded therein, she was held entitled to have a certificate validity without any rider. He would, therefore submit that since it is a matter of social status, the petitioners being siblings of Dipali, are entitled to have certificates of validity, irrespective of the observations of the Committee touching the manner in which attempt has been made allegedly to suppress contrary record.

3. Learned AGP would submit that already a proposal has been moved on 21.09.2019, soliciting requisite permission from the State

Government for applying for review of the judgment and order passed in the matter of Dipali.

4. The Committee has resorted to examining petitioners' claim on merits and has in the process, referred to certain contrary entries to refuse the claims. The fact remains that the petitioners' real sister – Dipali was held entitled to have a certificate of validity without any condition. Even if the Committee's observations as regards other validity holders having resorted to fraud by concealing the contrary record are accepted, till the time Dipali's validity is in force, the petitioners cannot be treated differently and would be entitled to have similar certificates of validity.

5. Admittedly the proposal was forwarded more than five years back. No attempt has been made to seek review of the judgment in the matter of Dipali. There cannot be a hanging sword on the petitioners.

6. The writ petition is allowed. The impugned order dated 18.09.2024 passed by the respondent no.2/Scrutiny Committee is quashed and set aside.

7. The Scrutiny Committee shall immediately issue tribe validity certificates to the petitioners as belonging to 'Koli Mahadev' scheduled tribe.

[ SHAILESH P. BRAHME, J.]

[ MANGESH S. PATIL, J.]