



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 WRIT PETITION NO. 10872 OF 2024

BHAGYASHRI GOVARDHAN MANDE THROUGH POA GOVARDHAN
DAGDUBA MANDE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

...

Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents: Mr. R.S. Wani

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

DATE : 03.10.2024

PER COURT :

The petitioner is challenging the order of respondent no. 2-scrutiny committee refusing to validate her 'Koli Mahadev' scheduled tribe certificate.

2. Issue notice for final disposal.
3. The learned A.G.P. waives service for both the respondents.
4. We have heard the matter finally today itself.
5. As indicated in the impugned order, petitioner's father Govardhan and his second degree cousin Sambhaji possess certificates of validity. Sambhaji's issues Rani and Prashant had faced invalidity. In Writ Petition No. 7462/2018 and Writ Petition No. 10782/2018. By the orders dated 25.07.2018 and 01.10.2018, this Court (Principal Seat) had found them entitled to have certificates of validity subject to the final outcome of the matters of the validity holders, which the committee had decided to undertake. Pertinently, the petitioner's father Govardhan's validity was

relied upon by Rani and Prashant as can be seen from the order passed in the matter of Rani.

6. In light of the above, the petitioner cannot be treated differently and she is entitled to have a certificate of validity subject to some conditions.

7. The writ petition is partly allowed. The impugned order is quashed and set aside. The respondent no.2-committee shall immediately issue tribe validity certificate to the petitioner as belonging to '*Koli Mahadev*' scheduled tribe in the prescribed format without adding anything. The validity shall be subject to the final outcome of the matters which the committee has decided to reopen.

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

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-