



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

WRIT PETITION NO. 12862 OF 2021

Ramraja Maroti Methewad .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Shri Omgashad B. Boinwad, Advocate for the Petitioner.
Shri A. R. Kale, Addl.G.P. for the Respondent Nos. 1 and 2.
Shri S. G. Karlekar, Advocate for the Respondent No. 3.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 30 AUGUST 2024.**

FINAL ORDER :

- . Heard both the sides finally at the stage of admission.
2. The petitioner is challenging order of invalidation passed by the respondent No. 2/Scrutiny Committee confiscating and cancelling his Koli Mahadev scheduled tribe certificate.
3. The learned counsel for the petitioner submits that the petitioner's distant cousin Suraj Shivaji Methewad had also suffered invalidation. He had challenged that decision in Writ Petition No. 13125 of 2023. While deciding his proposal the scrutiny committee had referred to the contrary record that was revealed in the vigilance conducted in the petitioner's matter. He would also advert our attention to the relevant portion from the order passed by the Scrutiny Committee in the matter of Suraj. He also tenders across the bar an affidavit of Suraj giving the

genealogy *inter alia* demonstrating his relationship with the petitioner and has annexed the copy of the order dated 23 October 2023 passed by this Court in the matter holding him entitled to have a certificate of validity.

4. The fact remains that whatever contrary entries the Committee has now resorted and referred in the order under challenge in the present matter was relied upon by the then Committee in the matter of Suraj and still this Court had held him entitled to have a certificate of validity.

5. Such being the state of affairs, no fresh scrutiny of the self same record needs to be resorted to in the present matter. Admittedly, Suraj's father Shivaji possesses certificate of validity issued way back in the year 2009. Its benefit was extended to Suraj and even the petitioner is entitled to have a certificate of validity based on that. Therefore, the petitioner is entitled to have a conditional validity.

6. The writ petition is allowed partly. The impugned order dated 18.11.2021 passed by the respondent No. 2/Scrutiny Committee is quashed and set aside. The respondent No. 2/Scrutiny Committee shall immediately issue certificate of validity to the petitioner of Koli Mahadev scheduled tribe, which shall be co-terminus with the validity of Shivaji. The petitioner shall not be entitled to claim equities.