



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11834 OF 2024

Nilesh s/o Narayan Padale,
Age – 26 years, Occu – Education,
R/o At Post : Amsari, Post. Madani,
Tq. Sillod, Dist. Chhatrapati
Sambhajinagar (Aurangabad)

... Petitioner

Versus

The State of Maharashtra
through its Secretary and Another

... Respondents

...
Advocate for petitioner : Mr. Omgashad B. Boinwad
Addl. GP for the respondent – State : Mr. P.S. Patil
...

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

DATE : 23 OCTOBER 2024

ORDER (MANGESH S. PATIL, J.) :

The petitioner is taking exception to the decision of respondent no. 2 – scrutiny committee confiscating and cancelling his 'Koli Malhar' scheduled tribe certificate.

2. Apart from the validities in the blood relationship of one Narayan Damodhar Padale who is none other than the father of the petitioner, petitioner's real sister Shital and real brother – Nilesh have been held entitled to have certificates of validity by the order of this Court dated 18-12-2020 in writ petition no. 8435 of 2020 and order dated 15-10-2024 in writ petition no. 11547 of 2024, respectively.

3. There being no dispute about the petitioner being related to these validity holders by blood, would be entitled to have a certificate of validity co-terminus with the validity of Narayan Damodhar Padale, who happens to be his father.

4. The writ petition is partly allowed.

5. The impugned judgment and order dated 18.10.2024 passed by the respondent No.2 – Scrutiny Committee is quashed and set aside.

6. The respondent No.2 – Scrutiny Committee shall immediately issue tribe validity certificate to the petitioner as belonging to 'Koli Malhar' scheduled tribe in the prescribed proforma.

7. The validity certificate of the petitioner shall be co-terminus with the validity certificates of the blood relatives of the petitioner who are facing reverification. The order having dictated in presence of the learned AGP and the Law Officer of the Committee, they shall immediately communicate this order to the Committee.

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

[SHAILESH P. BRAHME]
JUDGE

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[MANGESH S. PATIL]
JUDGE