



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 WRIT PETITION NO. 13869 OF 2024

NALINI GAJANAN GORE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY

...

Mr. Sunil Mahadevappa Vibhute for the Petitioner.

Mr. S. R. Wakale, AGP for Respondent/State.

AND

937 WRIT PETITION NO. 13872 OF 2024

NITIN MANOHARRAO GORE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Mr. Boinwad Omgashad B., Advocate for the Petitioner.

Mr. R. S. Wani, AGP for Respondents/State.

...

CORAM : MANGESH S. PATIL

&

PRAFULLA S. KHUBALKAR, JJ.

DATE : 18th December, 2024

Per Court :-

The petitioners are challenging the order of the scrutiny committee refusing to validate their 'Koli Mahadev' scheduled tribe certificate.

2. It is being pointed out that the common vigilance

enquiry was conducted in the matter of these Petitioners and four other individuals, albit, the committee has passed separate orders.

3. To the extent of Nidhi Sanjay Gore and Nivesh Sanjay Gore, who had also faced the similar invalidation issue, on their challenge before this Court to the order of the committee in Writ Petition No.13296 of 2023, by order dated 23rd October 2023, they were held entitled to have certificates of validity and the impugned judgment and order was quashed and set aside to their extent. It is also being pointed out that apart therefrom, there are few other validities in the family, namely, Priyanka Jaiprakash Gore, Prasanna Jayprakash Gore, Rupendra Vyankatrao Gore, Sanjay Manohar Gore, Jagruti Manoharrao Gore and Aarti Manoharrao Gore. Even the Petitioner-Nitin's son, namely, Tanishq has also been granted a certificate of validity pursuant to the order of this Court in Writ Petition No.13144 of 2023 by order dated 20th October 2023. It is apparent that the evidence that has been collected through the common vigilance enquiry found the basis for the

committee to decide the Petitioner's proposals and even while deciding proposals of Nidhi and Nivesh.

4. If this Court had an occasion to objective scrutiny of the same set of evidence analyzed by the committee while deciding Nidhi and Nivesh's claims, no separate reasoning is required for deciding these Petitions.

5. For the same reasons as have been recorded by this Court while deciding Petitions of Nidhi and Nivesh, even these Petitions are allowed partly.

ORDER

A. The writ petitions are partly allowed.

B. The impugned judgment and order dated 12/12/2024 passed by the respondent/Committee to the extent of the petitioners is quashed and set aside.

C. The respondent No.2/committee shall issue validity certificates to the petitioners as belonging to 'Koli Mahadev' (Scheduled Tribe) immediately in prescribed format

without incorporating any condition.

D. These validity certificates shall be subject to the outcome of the reverification of the validity certificates undertaken by the committee.

E. The petitioners shall not claim any equities.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)