



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

WRIT PETITION NO.161 OF 2020

Dnyaneshwar s/o Kondiram Boyane ... **PETITIONER**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....
Mr. A.S. Golegaonkar, Advocate with
Mr. M.A. Golegaonkar, Advocate for petitioner
Mr. S.R. Yadav Lonikar, A.G.P. for State
.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 19th JUNE, 2025

ORDER :

Heard learned Advocate for the Petitioner and
learned A.G.P. for Respondents No.1 to 3.

2. It is submitted by learned Advocate for the Petitioner
that, the Respondent No.2, Scrutiny Committee, by common
order dated 27/7/2019, invalidated the tribe claim of the

Petitioner towards Koli Mahadeo and also of his daughter Kum. Rutuja. He submits that, the Petitioner's daughter had preferred Writ Petition No.9188/2019 before the Principal Seat at Bombay before the Special Bench which was constituted for the purposes of dealing with Caste matters for the admission purpose and the said Writ Petition came to be partly allowed by order dated 22/8/2019, granting conditional validity to the Petitioner's daughter. He submits that, identical order be passed.

3. The learned A.G.P. though supports the impugned order, does not dispute that the Petitioner's daughter's Petition came to be partly allowed at the Principal Seat in the aforesaid Writ Petition.

4. We have perused the papers on record. A copy of the order dated 27/8/2019, passed in Writ Petition No.9188/2019 is annexed at Exhibit K to the petition. The said petition was filed by the Petitioner's daughter. Paragraph No.8 of the said order reads as under :

“8. In view of above, the Committee is directed to issue Tribe validity certificate to the Petitioner forthwith. As the Committee has already initiated proceedings for cancellation of validity issued to the blood relations of the Petitioner, in response to the Courts query, it is assured by the Committee that the Committee will conclude those proceedings within a period of six months from the date of receipt of copy of this order. If the proceedings for cancellation of caste validity are answered against such certificate holder, it shall be open for the Respondent Committee to issue show cause notice to the Petitioner as to why the validity certificate granted to petitioner should not be cancelled and it will be open for the Committee to take those proceedings to its logical end. Needless to say that the certificate issued to the Petitioner is subject to the outcome of the proceedings for cancellation of validity issued in favour of her blood relations.”

5. The order of the Respondent No.2 Committee is admittedly a common order, invalidating the tribe claim of the Petitioner and his daughter.

6. In view of the above undisputed aspect, we partly allow the Writ Petition and set aside the impugned order dated 27/7/2019, issued by the Respondent No.2 Committee. The Respondent No.2 Committee shall issue validity certificate to the petitioner, belonging to Koli Mahadeo- Scheduled Tribe, which shall be subject to the outcome of the proceedings for

cancellation of validity certificate issued in favour of the Petitioner's daughter and his blood relatives. Writ Petition stands disposed of.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

fmp/-