



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

23 WRIT PETITION NO. 662 OF 2025

Shrutika Dnyaneshwar Koli
Age-19 years, Occu-Education,
R/o. Rajuri, Tq. & Dist. Dharashiv

... PETITIONER

VERSUS

1. The State of Maharashtra
Through it's Secretary,
Tribal Development Department,
Mantralaya, Mumbai – 32

2. The Scheduled Tribe Certificate Scrutiny
Committee, Ch. Sambhajinagar Division,
Chhatrapati Sambhajinagar,
Through its Deputy Director (R)

... RESPONDENTS

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Mr. Pratap V. Jadhavar, Advocate for the Petitioner
Mr. V. M. Kagne, AGP for the Respondents – State

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**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 14.07.2025

JUDGMENT (Per: Y. G. Khobragade, J.) :-

1. Rule. Rule made returnable forthwith and heard
finally by consent of the parties.

2. By the present Petition, the Petitioner prays for issuance of Writ of Mandamus to quash and set aside the order dated 06.01.2025, passed by Respondent No.2 Caste Scrutiny Committee, thereby invalidated the tribe claim of the Petitioner as 'Koli Mahadev' Scheduled Tribe.

3. On 13.10.2023, this Court delivered an order in Writ Petition No.11338 of 2021 (Prajwal s/o Dnyaneshwar Koli Vs. The State of Maharashtra and another), thereby directed the Caste Scrutiny Committee to issue validity certificate of 'Koli Mahadev' Scheduled Tribe, to the Petitioner, who is the real brother of the present Petitioner.

4. The learned AGP submits on instructions that the relationship between the Petitioner and Prajwal Dnyaneshwar Koli (Petitioner in Writ Petition No.11338 of 2021) is not in dispute. Therefore, taking into consideration the law laid down in the cases of *Mah. Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors.*; AIR 2023 SC 1657, *Shweta Balaji Isankar Vs. State of Maharashtra & Ors.*, 2018 SCC Online Bom. 10341, *Apoorva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and Ors.*, 2010(6) Mh.L.J. 401, wherein it has been concluded

that when the biological father, biological siblings, biological uncle etc., are granted validity certificates, a candidate so related to them, cannot be deprived of a validity certificate, the present Petitioner is entitled to have a certificate of validity.

5. In view of above discussion, the present Petition deserves to be allowed and impugned order dated 06.01.2025, passed by Respondent No.2 Committee, needs to be quashed and set aside. Accordingly, we proceed to pass the following order:-

ORDER

- (i) The Writ Petition is allowed.
- (ii) The impugned order dated 06.01.2025, passed by Respondent No.2 is hereby quashed and set aside.
- (iii) Respondent No.2 Scrutiny Committee shall immediately issue tribe validity certificate in favour of the Petitioner as belonging to 'Koli Mahadev' Scheduled Tribes, which shall be subject to the final outcome of reverification initiated by Respondent No.2 Committee.
- (iv) The Petitioner shall not be entitled to claim equities.
- (v) Rule is made absolute.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]