



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 661 OF 2025
WITH
CIVIL APPLICATION NO. 1734 OF 2025
IN WP/661/2025

Trishula d/o Arvind Patil,
Age 38 years, Occ. Service,
R/o. Ramwadi, Tq. Dharashiv,
Dist. Dharashiv.

... Petitioner

VERSUS

- 1) The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya Mumbai.
- 2) The Scheduled Tribe Certificate
Verification Committee, Chh.
Sambhajinagar,
Through its Dy. Director (R)
Dist. Aurangabad.
- 3) The Deputy Director,
Account and Treasury,
Konkan Division, Room No. 506,
5th Floor, Konkan Bhavan.
- 4) The Pay & Account Officer,
Office of Pay and Account,
Near Family Court, Bandra-Kurla
Complex, Bandra East,
Mumbai-01.

... Respondents

...
Advocate for Petitioner : Mr. Sunil Mahadev Appa Vibhute
A.G.P. for Respondents/State : Mrs. P.J. Bharad

...
AND
WRIT PETITION NO. 648 OF 2025

Abhijeet s/o Arvind Patil,
Age 34 years, Occ. Service,

R/o. Ramwadi, Tq. Dharashiv
Dist. Dharashiv.

... **Petitioner**

VERSUS

- 1) The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya Mumbai.
- 2) The Scheduled Tribe Certificate
Verification Committee, Chh.
Sambhajinagar,
Through its Dy. Director (R)
Dist. Aurangabad.
- 3) The Secretary,
Samaj Jagrati Shikshan Sanstha Murud,
Samaj Jagrati Madhyamik & Uchha
Madhyamik Vidhyalaya Murud,
Tq. & Dist. Latur
- 4) The Head Master,
Samaj Jagrati Madhyamik &
Uchha Madhyamik Vidhyalaya Murud,
Tq. & Dist. Latur

... **Respondents**

...
Advocate for Petitioner : Mr. Sunil Mahadev Appa Vibhute
A.G.P for Respondent/State : Mr. S.R. Wakale
Advocate for Respondent No.2 : Mr. R.R. Khandebharad

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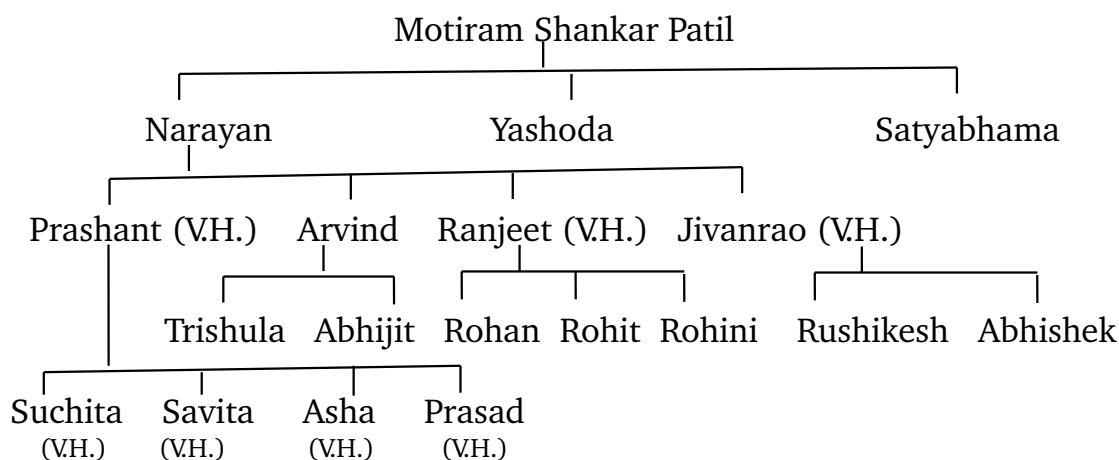
CORAM : **MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.**
DATE : **12.02.2025**

PER COURT :

Common order of the respondent-scrutiny committee in the matter of siblings is being questioned by them by preferring separate writ petitions dated 06.01.2025.

2. We have heard both the sides finally.

3. The genealogy relevant for the purpose can be traced from the papers as under:



4. The petitioner's real uncles Prashant, Ranjeet and Jivanrao possess certificates of validity. All the issues of Prashant also possess validities. Ranjeet's children were also held to be entitled to have certificates of validity by the order of this Court in Writ Petition No. 12688/2023, passed on 22.07.2024.

5. Pertinently, after Ranjeet had faced invalidation and had approached this Court. His matter was remitted back to the committee for decision afresh. While passing the order holding him entitled to have a certificate of validity on 18.12.2009, the committee *inter alia* referred to the validities in the family of the first decree relations, he was held entitled to have a certificate of validity. It is in the light of above mentioned state affairs, following the principles laid down in the matter of ***Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and others; 2023 SCC Online SC 326***, when admittedly, the first decree cousins and paternal uncles have been issued with certificates of validity pursuant to the order of this Court or the committees from time to time, the petitioners are entitled to have certificates of validity.

6. The writ petitions are partly allowed.

7. The impugned order is quashed and set aside. The respondent-

committee shall immediately issue tribe validity certificates to the petitioners as belonging to '*Koli Mahadev*' scheduled tribe in the prescribed format without adding anything. The validities shall be subject to the final outcome of the matters which the committee has decided to reopen.

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

9. Pending Civil Application is disposed of.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

mkd/-