



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

84 WRIT PETITION NO. 2998 OF 2025

Kishan Govindrao Pawar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

Mr. Yeramwar Sushant C., Advocate for the Petitioner

Ms. P. J. Bharad, AGP for Respondents State

CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

Dated : 1st April, 2025

PER COURT :-

1. The petitioner is challenging the the order of invalidation.
2. Heard learned advocate for the petitioner as also the learned AGP, finally.
3. As is being pointed out by the learned advocate for the petitioner and as is evident from the specific observation in paragraph no.3 of the impugned judgment and order, the petitioner's claim has been decided on the basis of a vigilance report in the matter of his cousin nephew Vitthal Waman Pawar who was served upon.
4. Vitthal Waman Pawar, having faced invalidation, had preferred writ petition no. 6231 of 2023. By order dated 09.08.2023, his petition was allowed partly and he was directed to be issued a certificate of validity, making it co-terminus with the matters of the validity holders which the committee has decided to reopen.

5. The aforementioned circumstance makes it abundantly clear that same set of evidence has been the subject matter of scrutiny of the respondent/scrutiny committee in the matter of Vitthal as also the Petitioner.

6. Since this court has already held Vitthal entitled to have the certificate of validity by objectively scrutinizing the judgment and order of the committee in his matter, no separate reasons need to be recorded in the present matter. Additionally, in Writ Petition No. 9750 of 2018, vide order dated 26.07.2024, this court has held the petitioner's real brother entitled to have the certificate of validity.

7. In view of the above, for the reasons recorded in the matter of Vitthal Waman Pawar in Writ Petition No. 6231 of 2023, the writ petition is allowed partly.

8. The impugned order is quashed and set aside. The committee shall issue certificate of validity to the petitioner of 'Thakur' Scheduled Tribe which shall be co-terminus with the matters of the validity holders which the committee has decided to reopen.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)