



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

**WRIT PETITION NO. 15118 OF 2019
WITH
CIVIL APPLICATION NO. 10256 OF 2025
IN WP/15118/2019**

SURESH RAGHUNATH SONUNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State

WITH WRIT PETITION NO. 200 OF 2025

SATYESHWARI YOGIRSAJ SONUNE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND ANOTHER

...
Mr. Deepak D. Choudhari, Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State

WITH WRIT PETITION NO. 15114 OF 2019

SHANKAR SAKRUBA SONUNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State

WITH WRIT PETITION NO. 15107 OF 2019

SUBHASH PUNDLIK SONUNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State
Mr. A. S. Usmanpurkar, Advocate for Respondent Nos. 3 And 4

WITH WRIT PETITION NO. 15117 OF 2019

ANJU RAGHUNATH SONUNE
VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
 Advocate for the Petitioner
 Mr. A. R. Kale, AGP for Respondent/State
 Mr. Sambhaji S. Tope, Advocate for Respondent No. 3

...

WITH WRIT PETITION NO. 15108 OF 2019

MADHAV UKHAJI SONUNE
VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
 Advocate for the Petitioner
 Mr. A. R. Kale, AGP for Respondent/State

...

WITH WRIT PETITION NO. 15116 OF 2019

VISHNU SHAMRAO SONUNE (DIED) THROUGH LRS.
VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
 Advocate for the Petitioner
 Mr. A. R. Kale, AGP for Respondent/State

...

WITH WRIT PETITION NO. 15109 OF 2019

SAVITA UKHAJI SONUNE
VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
 Advocate for the Petitioner
 Mr. A. R. Kale, AGP for Respondent/State

...

WITH WRIT PETITION NO. 15111 OF 2019

RAJU ALIAS RAJIV LAXMAN SONUNE
VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,

Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State

...
WITH WRIT PETITION NO. 15112 OF 2019

YOGESH LAXMAN SONUNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State

...
WITH WRIT PETITION NO. 15192 OF 2019

DHANRAJ PANDURANG SONUNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State
Mr. Sanjay Dattatrya Hiwrekar, Advocate for Respondent No. 3

...
WITH WRIT PETITION NO. 3554 OF 2020

SHUBHANGI SAMADHAN SONUNE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State

...
WITH WRIT PETITION NO. 15115 OF 2019

KASHINATH SHAMRAO SONUNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner
Mr. A. R. Kale, AGP for Respondent/State

...
WITH WRIT PETITION NO. 15110 OF 2019

SURESH UKHAJI SONUNE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner

Mr. A. R. Kale, AGP for Respondent/State

...

WITH WRIT PETITION NO. 15106 OF 2019

SAMADHAN PUNDLIK SONUNE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner

Mr. A. R. Kale, AGP for Respondent/State

...

WITH WRIT PETITION NO. 15113 OF 2019

GAJANAN JAYAJI SONUNE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Deepak D. Choudhari, Advocate h/f Mr. Ramesh B. More,
Advocate for the Petitioner

Mr. A. R. Kale, AGP for Respondent/State

...

**CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL JADHAV, JJ.**

DATE : 16th DECEMBER, 2025

PER COURT :

1. By all these writ petitions petitioners challenge the common order dated 29/11/2019, passed by the respondent Committee thereby invalidating their tribe claim as belonging to 'Koli Malhar' scheduled tribe. Since the petitioners are blood relatives, their cases were considered and common order was passed by the Committee.

2. Learned advocate for petitioners has relied upon the orders dated 09/09/2024 and 23/08/2024 passed by this Court in Writ Petition Nos.10003/2023 and 8635/2024 respectively, thereby issuing conditional validity to Bibishan Shrirang Sonune, whose name appears at Sr. No.14 in the impugned order and Vinay Dnyaneshwar Sonune whose father's name appears in the genealogy submitted by the petitioners.

3. Learned AGP has vehemently opposed the petitions contending that the Committee has considered the fact that the word 'Malhar' has been added subsequently in the school record of blood relatives of the petitioners and earlier their caste was only described as 'Koli'. He further submits that fraud is committed by the validity holder blood relatives of the petitioners while obtaining validity certificate. Therefore, the petitioners are not entitled to rely on the said certificates. He further submits that the earlier claims of blood relatives of the petitioners are rejected by the Committee and said orders are confirmed by this Court in the case of Subhash Shravan Sonune (Writ Petition No.3389/2005), Kiran Sitaram Sonune (Writ Petition No.8267/2005) and Ratan Govinda Sonune (Writ Petition No.8269/2005), which is considered by the Committee while rejecting the petitioners' claims. He, therefore, submits that no case is made out by the petitioners to allow their writ petitions.

4. While passing the order in Bibishan Shrirang Sonune's

case Coordinate Bench of this Court has considered the said arguments advanced by the learned AGP and observed thus;

“3. Having heard both the sides and having perused the impugned order as also original files, irrespective of the stand of the present committee regarding existence of few contrary entries and few manipulated entries wherein the petitioner’s blood relatives were described as Koli and in some of those entries word Malhar has been added subsequently, we need not conduct objective scrutiny of the inference in that respect drawn by the Committee, as the Committee will have to undertake due process of law if at all it is of such a strong view about the validity holders having concealed / manipulated the record while obtaining certificates of validities. The validity holders are not before us and any observation made in that respect would have a bearing on the matters to be reopened by the Committee.

4. The fact remains that, as mentioned by the Committee there are several validities in the family. Vinay Dnyaneshwar Sonune who is admittedly related to the petitioner by blood was held entitled to have certificate of validity by this Court in Writ Petition No.8635 of 2024 vide order dated 23 August 2024. If such is the state of affairs, the petitioner is entitled to have a certificate of validity irrespective of the allegations regarding fraud attributable to the initial person, who had suffered invalidation Mr. Subhash Shravan Sonune, but was able to obtain a fresh certificate and got it validated.”

5. Similar objection was raised by learned AGP in Vinay Dnyaneshwar Sonune’s case, which is also negated by a reasoned order passed by the Coordinate Bench. In any case the common order impugned herein was challenged by Bibishan Shrirang Sonune and this Court has directed to issue conditional validity certificate to

him. The view of the Coordinate Bench is binding on us and on the ground of parity the petitioners are also entitled for the same relief.

6. For the reasons stated in the orders dated 09/09/2024 and 23/08/2024 passed by this Court in Writ Petition Nos.10003/2023 and 8635/2024 respectively, the writ petitions are partly allowed. The impugned order dated 29/11/2019 passed by the Committee is quashed and set aside. The Committee shall issue validity certificates to the petitioners of 'Koli Malhar' scheduled tribe immediately in prescribed proforma. It shall be co-terminus with the validities in the family, which the Committee has decided to reopen. Petitioners shall not be entitled to claim equities.

7. Accordingly, the pending civil application also stands disposed of.

(VAISHALI PATIL JADHAV, J.)

(NITIN B. SURYAWANSHI, J.)