



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 WRIT PETITION NO. 3508 OF 2025

YOGESHWAR RAJESHWAR GONARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

...
Advocate for the Petitioner : Mr. Chinchole Ghanshyam K.
AGP for Respondents: Mr. S.R. Wakale

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941 WRIT PETITION NO. 3523 OF 2025

DNYANESHWAR RAJESHWAR GONARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Chinchole Ghanshyam K.
AGP for Respondent nos. 1 & 2 : Mr. S.R. Wakale
Advocate for Respondent no. 3 : Mr. S.B. Pulkundwar

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

DATE : 13.03.2025

PER COURT :

Heard. Rule. Rule is made returnable forthwith. The learned A.G.P. waives service for respondent nos. 1 and 2.

2. The learned advocate for the petitioner submits that a common vigilance enquiry was conducted in the matter of petitioner Dnyaneshwar Gonare and one Onkar Parmeshwar Gonare. Based on that vigilance report, the claims of these petitioners have been decided by the impugned judgment and order, refusing to validate their 'Koli Mahadev' scheduled tribe certificates. He submit that having faced a similar invalidation by a separate order of the committee, Onkar had preferred Writ Petition No. 9937/2024. By the judgment and order dated 14.10.2024, the petition was partly

allowed and he was held entitled to have a certificate of validity subject to a condition.

3. He submits that since a common vigilance enquiry and the evidence collected through it is a subject matter of scrutiny for deciding all these proposals and when in the matter of Onkar Gonare this Court has already quashed and set aside the order of the committee, the petitioners are ready to suffer the consequences as contemplated in the matter of ***Shweta Balaji Isankar Vs. State of Maharashtra and others*** (writ petition no. 6320 of 2017), and ready to have certificates of validity conditionally.

4. The learned A.G.P. submits that there is no dispute about the facts mentioned herein above. A common vigilance enquiry was indeed conducted in the matter of Onkar and Dnyaneshwar, and Onkar's petition has been allowed.

5. For the reasons recorded in the matter of Onkar Parmeshwar Gonare by a division bench of this Court, even both these petitions are allowed. The impugned orders are quashed and set aside. The respondent committee shall immediately issue tribe validity certificates to the petitioners as belonging to 'Koli Mahadev' scheduled tribe.

6. Rule is made absolute accordingly.

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

mkd/-