



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3809 OF 2025

SHIVRAJ PARSHURAM BOYANE

VERSUS

1. THE STATE OF MAHARASHTRA, THR. ITS SECRETARY, TRIBAL DEVELOPMENT DEPARTMENT, MANTRALAYA, MUMBAI
2. THE SCHEDULED TRIBE CERTIFICATE VERIFICATION COMMITTEE KINWAT HQ. AT CHH. SAMBAHIJNAGAR, THR. ITS DY. DIRECTOR (R), DIST. SAMBAHIJNAGAR.
3. THE DIRECTORATE OF MEDICAL EDUCATION AND RESEARCH (DMER), 4th FLOOR, GOVERNMENT DENTAL COLLEGE BUILDING, & HOSPITAL, ST. GEORGE HOSPITAL COMPOUND, MUMBAI
4. THE DEAN VILASRAO DESHMUKH GOVERNMENT MEDICAL COLLEGE LATUR, DIST. LATUR.

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Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents: Ms. D.S. Jape

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

DATE : 20.03.2025

PER COURT:

Heard.

2. Issue notice to the respondents. Learned AGP waives service for all respondents.
3. We have heard both the sides finally.
4. The petitioner is taking exception to the judgment and order dated 10.03.2025 whereby respondent No.2 – Scrutiny Committee in a proceeding under Section 7 of the Maharashtra Act No.XXIII of 2001 has refused to validate his ‘Koli Mahadev’ scheduled tribe certificate.

5. It is a matter of record that in the impugned judgment the common vigilance inquiry undertaken in the matter of petitioner's blood relatives followed by a report dated 28.07.2021 was served upon the petitioner calling upon him to explain the evidence collected by the vigilance officer. Pursuant to the reply filed by him, the inquiry was undertaken leading to passing of the impugned judgment and order.

6. It is now being pointed out that all the five persons namely; Rushikesh Somnath Boyane, Pooja Somnath Boyane, Dnyaneshwari Somnath Boyane, Shirish Shahaji Boyane and Parshuram Shahaj Boyane, in whose matters the common vigilance inquiry was conducted, have been subsequently held entitled to have certificates of validity pursuant to the orders of this Court dated 20.08.2024, 03.08.2024, 15.09.2023 and 09.12.2024 respectively.

7. Since the same set of evidence is the subject matter for consideration of the Committee not only in the matters of all these five individuals but even the petitioner, when this Court for the reasons recorded in their matters has quashed and set aside similar orders of the Committee, we need not record separate reasons rather we are bound by the same reasons recorded by this Court in the aforementioned matters of Rushikesh, Pooja, Dnyaneshwari, Shirish and Parshuram.

8. For the same reasons, the writ petition is allowed partly. The impugned order is quashed and set aside. The Committee is directed to issue certificate of validity of 'Koli Mahadev' to the petitioner, which shall

be subject to the final outcome of the matters which the Committee has decided to reopen of the petitioner's blood relatives.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

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