



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

WRIT PETITION NO.3861 OF 2025

Umesh s/o Laxman Hiwale & anr. ... **PETITIONERS**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....
Mr. Sagar Phatale, Advocate holding for
Mr. Y.R. Suradkar, Advocate for petitioners
Mr.P.K. Lakhotiya, A.G.P. for respondents
.....

**CORAM : R.G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.**

DATE : 11th SEPTEMBER, 2025

ORDER :

Heard. The petitioners claim to have belonged to “Koli Malhar”, Scheduled Tribe. Their tribe certificates were subjected to scrutiny. The respondent Scrutiny Committee turned down the petitioners’ claim. They are, therefore, before us.

2. The petitioners mainly relied on the validity certificates granted in favour of their father Laxman Pandu Hiwale and cousin Shubham Hari Hiwale. Shubham has been granted validity by this

Court in Writ Petition No.1019/2022. The learned Advocate for the petitioners, therefore, urged for grant of validity at least conditionally.

3. The learned A.G.P. would, on the other hand, submit that, there were interpolations. The words “Koli Mahadeo” have been inserted in the school record of blood relations of the petitioners’ father. According to him, the cases of validity holders have, therefore, been reopened. He, therefore, urged for dismissal of the Writ Petition.

4. We have considered the submissions advanced by both the parties. The petitioners’ father has been granted validity certificate by the Scrutiny Committee. That time the vigilance report was very much before the Scrutiny Committee. The school record which is said to have been interpolated, was also very much before the very Committee. Since the petitioners’ father holds the validity certificate, and relying on the same, this Court has granted the petitioners’ cousin validity certificate, and even way back in 2022 the case of the validity holders have been reopened, it appears that, there is no progress in those matters. Since the close blood relations of the petitioners hold validity certificates, the

petitioners need to be granted the validity certificate conditionally. In view of the above, the Writ Petition is allowed in terms of the following order :

ORDER

- (i) The Writ Petition is allowed. The impugned order is hereby quashed and set aside.
- (ii) The respondent Scrutiny Committee shall issue the petitioners certificates validating their claim to have belonged to “Koli Malhar”, Scheduled tribe.
- (iii) The certificates to be issued to the petitioners shall be coterminus with the validity certificates on which the petitioners have relied before us.
- (iv) The petitioner shall not claim any equity.
- (v) In the event the petitioners’ cases are reopened, the petitioners shall co-operate with the Scrutiny Committee for taking the matter to its logical end.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

FMPathan/-