



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

WRIT PETITION NO. 4077 OF 2025

1. Pooja d/o Dattatraya Nilewad
Age 28 years, Occu: Service
R/o Anupwadi Tq. Udgir, Dist. Latur
2. Mita d/o Dattatraya Nilewad
Age 31 years, Occu: Service,
R/o Anupwadi Tq. Udgir, Dist. Latur
3. Pradnesh s/o Sanjay Nilewad ... **Petitioners**
Age : Minor, Occu: Education
R/o Anupwadi Tq. Udgir, Dist. Latur
Through father and natural guardian-
Sanjay s/o Bhujangrao Nilewad

VERSUS

1. The State of Maharashtra
Through its Secretary
Tribal Developments Department,
Mantralaya, Mumbai
2. The Scheduled Tribe Certificate Verification
Committee, Kinwat
Headquarter at Chh. Sambhajinagar,
Through its Director (R),
3. The Deputy Director,
Health Services,
Chh. Sambhajinagar Division
4. The District Civil Surgeon ... **Respondents**
Civil Hospital, Jalna Dist. Jalna

AND

WRIT PETITION NO. 4083 OF 2025

- Janabai d/o Shivaji Nilewad ... **Petitioner**
Age 37 years, Occu: Service
R/o Anupwadi Tq. Udgir, Dist. Latur

VERSUS

1. The State of Maharashtra
Through its Secretary
Tribal Developments Department,
Mantralaya, Mumbai
2. The Scheduled Tribe Certificate Verification
Committee, Kinwat
Headquarter at Chh. Sambhajinagar,
Through its Director (R),
3. The Superintendent of Post Offices, ... **Respondents**
Dharashiv, Dist. Dharashiv

Mr. Sunil M. Vibhute, Advocate for the petitioners,
Mr. Amar V. Lavte, AGP for the Respondents State

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

Dated : 1st April, 2025

FINAL ORDER:-

1. Heard learned advocate for the petitioners who are challenging the common judgment and order by filing separate writ petitions. We have also heard learned AGP and perused the record.
2. With their joint request, the matters are being disposed of finally at the stage of admission
3. Rule. Rule is made returnable forthwith. The learned A.G.P waives service for the respondents/state.
4. Learned advocate for the petitioners submits that as noted in

the impugned order, there are several validities in the family. Petitioner Pradnesh's father Sanjay Nilewad possess a certificate of validity first in point of time in the entire family, issued on 17 October 2005, that has not been recalled as yet, albeit, the committee is attributing him fraud by way of active concealment of contrary record. He would submit that till the time Sanjay's validity is not successfully recalled, his son Pradnesh and other petitioners, being blood relatives, are entitled to bank upon it and have certificates of validity subject the risk as mentioned in the matter of *Shweta Balaji Isankar Vs. State of Maharashtra and others* (writ petition no. 6320 of 2017).

5. Independently, learned counsel for the petitioners also submits that in writ petition no. 809 of 2022, petitioner Janabai's real brother Maroti Shivaji Nilewad and in writ petition no. 11892 of 2021, petitioners Pooja and Mita's real brother Pavan Dattatraya Nilewad have been held entitled to have certificates of validity by the common order dated 22.07.2024. He submits that this being a matter of social status, if the siblings already possess certificates of validity pursuant to the orders of this Court, the petitioners cannot be denied the benefit.

6. The leaned AGP submits that though validity of one Bharat Dadarao Nilewad was recalled, he has preferred the writ petition

challenging that order, however, no such similar exercise has been undertaken in respect of first validity of Sanjay Bhujangrao Nilewad.

7. Considering the aforementioned facts, when admittedly the petitioners Pooja, Janabai and Mita's real brothers possess certificates of validity issued pursuant to the orders of this Court and when petitioner Pradnesh's father Sanjay Bhujangrao Nilewad possesses a certificate of validity, the impugned order, irrespective of the reasons, cannot stand scrutiny of.

8. The writ petitions are allowed partly.

9. Impugned order is quashed and set aside. The respondent /Scrutiny committee shall issue certificates of validity to the petitioners of "Koli Mahadev" Scheduled Tribe which shall be subject to the final outcome of the matters which the committee has decided to reopen.

10. The petitioners shall not be entitled to claim equities.

11. Rule is made absolute accordingly.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)