



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

53 WRIT PETITION NO. 4681 OF 2025

1) DIVYARANI BALAJI KOLOD
2) RAJESHWAR S/O PIRAJI KOLOD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND ANOTHER

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Advocate for the Petitioner : Mr. Anil Prakashrao Piratwad
AGP for Respondent nos. 1 and 2 : Mrs. D.S.Jape

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

DATE : 21.04.2025

PER COURT :

Heard. Rule. It is made returnable forthwith. The learned A.G.P. waives service. At the joint request the matter is being disposed of at the stage of admission.

2. It transpires that a vigilance enquiry conducted in the matter of petitioners' cousins Tejas Laxman Kolod and Shravani Laxman Kolod forms the basis for the committee to decide the petitioners' claims. Tejas and Shravani had faced similar invalidation. On their challenge to the decision, in Writ Petition No. 10692/2023, by the order dated 28.08.2023, a coordinate division bench of this Court, to which one of us was a party (Mangesh S. Patil, J.) has quashed and set aside the order of the committee and directed certificates of validity to be issued to them making those subject to the condition of subsistence of validity in the family in the form of decision to be taken by the committee in the matters of validity holders, which the committee had decided to reopen.

3. Once having found that a common set of evidence forms the basis for decision passed in the matter of Tejas and Shravani, which did not find favour of this Court in their matter, we need not resort to separate reasons

much less to reach a contrary conclusion, incompatible with the decision of the coordinate division bench.

4. For the reasons mentioned in the order passed in Writ Petition No. 10692/2023, this petition is allowed partly. The impugned order is quashed and set aside. The respondent-committee shall immediately issue tribe validity certificate to the petitioner as belonging to 'Mannervarlu' scheduled tribe.

5. It shall be subject to the decision/out come in the matters to be reopened by the Committee of the validity holders.

6. The certificates of validity shall be issued in the prescribed format without incorporating other conditions/additions.

7. The petitioner shall not be entitled to claim equities.

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

mkd/-