



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

WRIT PETITION NO.7628 OF 2024

Damodar Shankarrao Dasarwad ... PETITIONER

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Mr. A.S. Bayas, Advocate with
Mr. Abdullah Shaikh & Prithvirajsingh Bayas,
Advocates for petitioner
Mr. A.A.A. Khan, A.G.P. for State
.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 2nd SEPTEMBER, 2025

ORDER :

By the present petition under Article 226 of the Constitution of India, the petitioner has challenged the order of invalidation of his tribe claim towards Koli Mahadev – Scheduled Tribe by the respondent No.2 Committee.

2. Learned Advocate for the petitioner submits that, the tribe claim of the petitioner's daughter by name Sakshi Damodar Dasarwad was invalidated by the respondent

Committee, which was subjected to challenge in Writ Petition No.9886/2024 before this Court and the said petition was allowed by order dated 9/9/2024 and conditional validity is directed to be issued in favour of the petitioner's daughter. He submits that, there is no dispute in respect of relationship and the Genealogy submitted before the Scrutiny Committee. He submits that, similar order be passed in this Writ Petition.

3. Learned A.G.P. appearing for the respondent Committee submits that, the original record is not with him. However, he does not dispute the above referred order of this Court in the Writ Petition filed by the petitioner's daughter.

4. We have perused the order dated 9/9/2024 passed by this Court in the above referred Writ Petition No.9886/2024. This Court, relying on the validity of one Pandhari, with whom the blood relation of the petitioner's daughter was not disputed, has granted conditional validity to the petitioner's daughter on the basis of the parameters laid down by the Hon'ble Apex Court in case of **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors., 2023 SCC OnLine SC 326**. There is no dispute in respect of

relations between the petitioner and Sakshi. There is also no dispute in respect of Genealogy, copy of which is at Page 76 of the petition. In this view of the matter, we proceed to pass the following order :

ORDER

- (i) The Writ Petition is partly allowed.
- (ii) The impugned order dated 24/6/2024, passed by the respondent No.2 Scrutiny Committee is quashed and set aside.
- (iii) The respondent No.2 Scrutiny Committee shall issue tribe validity certificate to the petitioner as belonging to Koli Mahadev – Scheduled Tribe within a period of four weeks from today.
- (iv) The said validity to the petitioner shall be coterminus to the validity of the earlier validity holder.
- (v) Writ Petition stands disposed of.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

FMPathan/-