



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9459 OF 2019

RAMLU BASHETTI BODHANAPOD
VERSUS

1. THE STATE OF MAHARASHTRA THR. SECRETARY, TRIBAL
DEVELOPMENT DEPT. MANTRALAYA, MUMBAI
2. THE SCHEDULED TRIBE CASTE CERTIFICATE VERIFICATION
COMMITTEE AURANGABAD, THR. ITS DY. DIRECTOR (R)
AURANGABAD DIST. AURANGABAD
3. THE CHIEF EXECUTIVE OFFICER ZILLA PARISHAD OSMANABAD,
DIST. OSMANABAD
4. THE EDUCATION OFFICER (PRIMARY) ZILLA PARISHAD
OSMANABAD DIST. OSMANABAD

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Advocate for the Petitioner : Mr. Vibhute Sunil M.
AGP for Respondents: Mr. V.M. Kagne

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 10.02.2025

PER COURT:

Heard both the sides.

2. The petitioner is challenging the order of invalidation.
3. It is being pointed out that a vigilance inquiry was conducted in the matter of his daughter Sayali. She had faced invalidation. On a challenge before this Court in writ petition No.9373/2024 by the order dated 04.09.2024 she was held entitled to have a certificate of validity which was made co-terminus with the validity of Abul.

4. It is also being pointed out that the petitioner was served with the copy of the vigilance inquiry report in the matter of Sayali to which the petitioner had responded and by the impugned order his claim has been invalidated.

5. These circumstances indicate that the same set of evidence has been the subject matter for the committee to consider the case of Sayali as also the petitioner.

6. Once this Court in the matter of Sayali has quashed and set aside the order based on the same set of evidence, no separate and more particularly inconsistent view can be taken in the matter of petitioner.

7. For the selfsame reason as have been recorded by this Court in the matter of Sayali, the writ petition is allowed partly. The impugned order is quashed and set aside. The Committee shall immediately issue certificate of validity to the petitioner which shall be co-terminus with the validity of Abul.

8. The petitioner shall not claim equities.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

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