



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

WRIT PETITION NO. 8339 OF 2020

GANESH RADHAKISAN DAMALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Mr. A. B. Kharosekar holding for
Mr. Omgashad B. Boinwad
AGP for Respondents No.1 and 2 : Mr. S. R. Yadav Lonikar
...

**CORAM : S. G. MEHARE &
SHAILESH P. BRAHME, JJ.**

DATE : 20-02-2025

PER COURT:-

1. Heard both sides finally at the admission stage, considering urgency in the matter.
2. The petitioner is assailing common judgment and order dated 25.11.2020 passed by respondent/scrutiny committee, invalidating tribe certificates of the present petitioner as well as nephew of the petitioner.
3. The learned counsel for the petitioner tenders on record an order dated 07.12.2020 passed by Co-ordinate Bench in the matter of ***Abhinandan Diliprao Damale vs. The State of Maharashtra, Writ Petition (Stamp) No.22250 of 2020.***
4. It further reveals from the record that Ms. Varsha Dilipkumar Damale was also issued with validity certificate by intervention of Co-ordinate Bench in Writ Petition No.7519 of 2018, vide order dated 24.07.2018. There are other validity holders who are the

blood relatives of the petitioner. As the petitioner's nephew, namely, **Abhinandan** was issued with conditional validity certificate by this Court by quashing the common order in that case to his extent, it is apparent that self same record has already been scrutinized. We propose to adopt the same course and reasons in allowing the present writ petition also.

5. There are other validities issued to petitioner's son, daughter and real brother which can be seen from the genealogy. Besides that, we have also referred to the matter of Abhinandan (supra). The petitioner is ready to face the consequences as per **Shweta Balaji Isankar Vs. State of Maharashtra and others (Writ Petition No.6320 of 2017)**. In that view of the matter, we find that the impugned judgment and order is unsustainable. We, therefore, pass the following order:-

ORDER

- i) The writ petition is partly allowed.
- ii) The impugned judgment and order is quashed and set aside.
- iii) Respondent/scrutiny committee shall forthwith issue tribe validity certificate of "Koli Mahadev" to the petitioner and the same shall be subject to outcome of re-verification proposed by the scrutiny committee.
- iv) The petitioner shall not claim equities.

[SHAILESH P. BRAHME, J]

[S. G. MEHARE, J.]