



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

20 WRIT PETITION NO. 11114 OF 2021

MAHESH NANA GAVLE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for the Petitioner : Mr. Jadhavar Pratap V.

AGP for Respondent/State : Mr. A.A.A. Khan

...

21 WRIT PETITION NO. 11115 OF 2021

SAGAR PRABHU GAVLE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for the Petitioner : Mr. Jadhavar Pratap V.

AGP for Respondent/State : Mr. A.A.A. Khan

...

22 WRIT PETITION NO. 11121 OF 2021

AKSHAY ANNA GAVLE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for the Petitioner : Mr. Jadhavar Pratap V.

AGP for Respondent/State : Ms.D.S. Jape

...

108 WRIT PETITION NO. 11122 OF 2021

NANA BHIKA GAVALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Mr. Jadhavar Pratap V.

AGP for Respondent/State : Ms.R.P Gour

...

**CORAM : R.G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.**

DATE : 06.10.2025

PER COURT :

. Heard.

2. All these Petitions are taken up together, since the common order of refusing to grant the petitioners, Tribe Validity certificates, is under challenge therein. The petitioners claim to have belonged to 'Koli Malhar' Scheduled Tribe. Their tribe certificates were subjected to scrutiny. The Scrutiny Committee declined to grant validity certificates. They are, therefore, before us.

3. We do not propose to dwell at length on the material placed on record, in support of the petitioners claim. Since any observations in that regard, may influence the Scrutiny Committee, in the proceedings which have been or proposed to be reopened. Suffice it to say that, the father, real brother and Uncle of the petitioners, have been granted validity certificates. Besides that, eight more validity certificates are in favour of other blood relations of the petitioners.

4. The learned A.G.P would submit that there is a vast difference between the genealogies relied on by the validity holder- Pradip and others. According to him, in the genealogy given by the petitioners, the common ancestor is Sandu Jaysingh Gawale whereas in other genealogies relied on by those validity holders, the common ancestor was Raysingh Jaysingh Gawale. Sandu and Raysingh cannot be one and the same person.

5. At the cost of repetition, we observe that we cannot go into the factual matrix. Suffice it to say that, this Court has directed to grant validity certificates to the close five blood relations of the petitioners while six validities have been granted by the Scrutiny Committee to the other blood relations. The petitioners, are therefore, entitled for the reliefs on the ground of parity. In the result, the Writ Petitions are allowed in terms of the following order :

ORDER

- i) The Writ Petitions are allowed.
- ii) The impugned common order dated 08.09.2021 passed by the Respondent No.2/Scrutiny Committee is quashed and set aside.
- iii) The Respondent No.2/Scrutiny Committee shall issue the Petitioners, Tribe Validity certificates of 'Koli Malhar' Scheduled Tribe, in the prescribed proforma without adding anything.
- iv) The validity certificates shall be subject to the final outcome of the matters, intended to be reopened by the Scrutiny Committee.
- v) The Petitioners shall not claim any equities.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)