



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

949 WRIT PETITION NO. 10968 OF 2025

Pari Baburao Nagarwad

VERSUS

The State Of Maharashtra Through Its Secretary And Another

...

Advocate for the Petitioner : Mr. Vivekanand U Jadhav

AGP for Respondents-State: Mr. S. B. Pulkundwar

...

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

Dated : SEPTEMBER 09, 2025

PER COURT : -

1. The petitioner is challenging the order passed by the respondent No. 2 - The Scheduled Tribe Certificate Scrutiny Committee, Kinwat Office at Chh. Sambhajinagar, dated 02/09/2025, thereby invalidating the tribe claim of the petitioner of belonging to 'Koli Mahadev' - Scheduled Tribe. As far as the present petitioner is concerned, she is the real sister of Avdhut s/o Baburao Nagarwad, to whom this Court, in Writ Petition No. 13697 of 2021, by an order dated 29/08/2024, has already granted validity.

2. We have heard the learned Counsel appearing for the petitioner and the learned AGP for respondent-State.

3. We are of the considered view that, while deciding the said

Writ Petition No. 13697 of 2021, this Court had not only considered the validity granted to the blood relative of the petitioner but also the record produced before the Caste Scrutiny Committee.

4. The learned AGP submits that the validity holders, on whom the petitioner relies for the validity certificate, have not filed their affidavits before the Caste Scrutiny Committee establishing their relation with the petitioner therefore the same cannot be relied upon.

5. Considering the observations made by this Court in Writ Petition No. 13697 of 2021 in the case of ***Avdhut s/o Baburao Nagarwad (supra)***, more so when neither the Scrutiny Committee nor the learned AGP has either disputed or denied the relationship of those validity holders with the petitioner, and when the petitioner is ready to run the risk and face the consequences as contemplated in the case of ***Shweta Balaji Isankar vs. The State of Maharashtra and Others, in Writ Petition No. 5611 of 2018***, by a Division Bench of this Court, and since her real brother Avdhut Baburao Nagarwad possesses validity, she should not be deprived of the benefit of a validity certificate. We, therefore, propose to pass the following order :

ORDER

- a) The writ petition is partly allowed.

b) The impugned judgment and order dated 02/09/2025 passed by the respondent No. 2 - The Scheduled Tribe Certificate Scrutiny Committee, Kinwat Office at Chh. Sambhajinagar, invalidating the caste claim of the petitioner belonging to 'Koli Mahadev' - Scheduled Tribe, is quashed and set aside.

c) The respondent No. 2 - The Scheduled Tribe Certificate Scrutiny Committee, Kinwat Office at Chh. Sambhajinagar, shall immediately issue a tribe validity certificate to the petitioner as belonging to 'Koli Mahadev' - Scheduled Tribe in the prescribed proforma.

d) The validity certificate of the petitioner shall be subject to the outcome of verification to be undertaken by the Caste Scrutiny Committee of validity holders on which the petitioner is relying upon.

e) The petitioner shall not be entitled to claim equities.

f) With these directions, the petition stands disposed of.

(ABASAHEB D. SHINDE, J.)

(R. G. AVACHAT, J.)