

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11136 OF 2025

Dev Manoj Ghate And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Another

...

Advocate for the Petitioner : Mr. Vivekanand U Jadhav

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

...

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

DATED : SEPTEMBER 12, 2025

PER COURT :

. Heard.

2. The petitioners claimed to have belonged to Koli-Mahadev, Scheduled Tribe. The Scrutiny Committee has granted validity certificate to the father of the petitioners and their uncle as well.

3. Learned AGP has strong objection to grant validity certificate to the petitioners. According to him, the oldest document i.e. of the year 1904 did not find mention in the order impugned herein. According to the learned AGP, the matter therefore needs to be remanded back to the Scrutiny Committee to address on the relevancy and validity of the said document.

4. We have considered the submissions advanced, perused the order impugned herein. Admittedly, the Scrutiny Committee has

granted validity certificate to the father and real uncle of the petitioners. Their cases are proposed to be reopened. The Scrutiny Committee turned down the petitioners claim on the ground there being contra entries. The vigilance cell, during the inquiry, came across the entry of the birth register of the petitioners great grandfather. The entry dates back to 1904. In the said entry, petitioners great grandfather has been shown to have belonged to Koli-Mahadev, Scheduled Tribe. In our view, this entry impel us to grant the petitioners validity certificate.

5. Needless to mention, if the cases of father and real uncle of the petitioners are proposed to be reopened, the Scrutiny Committee shall not be influenced by these observations and decide those proceeding on their own merits. Suffice it to say that so long as the father and uncle of the petitioners holds the validity certificates, the petitioners deserve to be granted similar certificate.

6. In result, the petition succeeds. Hence, the following order :

ORDER

- (i) Writ Petition is allowed.
- (ii) Impugned order dated 09.09.2025 passed by respondent no.2/Scrutiny Committee is hereby set aside.
- (iii) The respondent no.2/Scrutiny Committee is directed to issue the petitioners validity certificates of Koli-Mahadev Scheduled Tribe.

(3)

(iv) The validity certificates to be issued shall be co-terminus with the validity certificates of the petitioners blood relations, on whom the petitioners did rest their claim before this Court.

(v) The petitioners shall not claim any equity.

(vi) Writ Petition stands disposed of.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)