



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

WRIT PETITION NO.11524 OF 2024

Anjali d/o Jankiram Dandge ... **PETITIONER**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....
Mrs. G.N. Chincholkar, Advocate for petitioner
Mr. A.A.A. Khan, A.G.P. for State
.....

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

DATE : 11th SEPTEMBER, 2025

ORDER :

Heard. The petitioner claims to have belonged to “Koli Malhar”, Scheduled Tribe. Her tribe certificate was subjected to scrutiny. The respondent Scrutiny Committee refused to grant validity certificate. The petitioner is, therefore, before us.

2. Learned Advocate for the petitioner would submit that, the petitioner’s father, real sister and cousin have been

granted validity certificate by the Scrutiny Committee. While granting them the validity certificates, due enquiry was made as expected under the Rules. According to him, so long as those validity certificates stand, the petitioner at least be granted conditional validity.

3. The learned A.G.P. would, on the other hand, submit that, there were some contra entries in the school record of the forefathers of the applicant and those who hold the validity certificates. Having considered the said record, the Committee has reopened the cases for those validity holders. According to him, it is, therefore, not in the fitness of things to grant the petitioner validity certificate.

4. We have considered the submissions advanced by both the sides. Admittedly, the petitioner's father, sister and cousin hold validity certificates, which have been granted by the Scrutiny after holding necessary enquiry. It is true that, there are some contra entries in the school record. The said record was very much before the Scrutiny Committee which granted the validity certificates. As such, it is a case of having granted the validity certificates after fullfledged enquiry. To

whom those validity certificates are granted are not before us to address the point raised by the learned A.G.P. In our view, so long as the validity certificates hold the field, the petitioner being close blood relative of those validity holders, need to be granted conditional validity certificate. More so, when it is not a case of obvious fraud.

5. In view of the above, the Writ Petition is allowed in terms of the following order :

ORDER

- (i) The Writ Petition is allowed. The impugned order is hereby quashed and set aside.
- (ii) The respondent Scrutiny Committee shall issue the petitioner certificate validating her claim to have belonged to "Koli Malhar", Scheduled tribe.
- (iii) The certificate to be issued to the petitioner shall be coterminus with the validity certificates on which the petitioner has relied before us.
- (iv) The petitioner shall not claim any equity.
- (v) In the event the petitioner's case is reopened, the

petitioner shall co-operate with the Scrutiny Committee for taking the matter to its logical end.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

FMPathan/-