



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

WRIT PETITION NO. 14104 OF 2021

Kakasaheb s/o Bhagwat Shirsath,
Age 52 years, Occu. Service,
R/o Raskarmala, Marutinagar,
Ward No.2, Shrirampur,
Taluka Shrirampur, District Ahmednagar.

...PETITIONER

V/s.

1. The State of Maharashtra,
Through Secretary,
Department of Tribal Development,
Mantralaya, Mumbai-32.
2. Scheduled Tribes Certificate
Scrutiny Committee,
Through its Member Secretary,
Nashik Division, Nashik, Dist. Nashik.
3. The Chief Officer,
Rahata Municipal Council,
Rahata, District Ahmednagar.

...RESPONDENTS

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Mr. Deepak D. Choudhari, Advocate for the Petitioner
Mr. Amar V. Lavte, AGP for the Respondent/State

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**CORAM : MANGESH S. PATIL &
Y.G. KHOBRADE, JJ.**

DATE : 23.04.2025

JUDGMENT :- (Per: Y.G. Khobragade, J.)

1. Rule. Rule made returnable forthwith. At the joint request of the parties the matter is being disposed of at the stage of admission.

2. By the present petition, the petitioner takes exception to the judgment and order dated 23.11.2021 passed by the respondent no.2/scrutiny committee thereby invalidating the caste claim of the petitioner of Koli Mahadev (ST-29) Scheduled Tribe.

3. Having regard to the submissions canvassed on behalf of both the sides, we have gone through the petition paper book. It is not in dispute that despite seven validity certificates having been issued by the scrutiny committee in favour of the petitioner's paternal blood relatives and those were tendered in support of claim of the petitioner, however, the respondent no.2/scrutiny committee has invalidated the petitioner's caste claim.

4. On 06.12.2023, the co-ordinate bench of this Court of which one of us (Mangesh S. Patil, J.) was a party passed the judgment in writ petition no.2434/2022 (Saurabh s/o Kakasaheb Shirsath V/s. The State of Maharashtra & Ors.) and directed the respondent to issue caste validity certificate in favour of real brother of the petitioner.

5. In the light of above, when this Court on multiple occasions has had an occasion to consider the merits of the individual claims based on the same set of evidence revealed during the course of vigilance inquiry, we need not record separate reasons. For the reasons recorded in the matter of

Saurabh s/o Kakasaheb Shirsath, cited *supra*, the writ petition is allowed. The impugned order is quashed and set aside. The committee shall issue certificate of validity to the petitioner of Koli Mahadev (ST-29) scheduled tribe which shall be subject to the final outcome of the matters which the committee has decided to re-open regarding the validities in the matter.

[Y.G. KHOBRADE, J.]

[MANGESH S. PATIL, J.]