

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12487 OF 2024

Krishna Anand Gondalwad And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Another

...

Advocate for the Petitioner : Mr. Boinwad Omgashad B.

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

...

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

DATED : SEPTEMBER 03, 2025

PER COURT :

. Heard.

2. The petitioners claim to have belonged to Koli Mahadev - Scheduled Tribe. Their tribe certificates were subjected to verification. The Scrutiny Committee refused to grant tribe validity certificates in favour of petitioners. They are therefore before us.

3. Without going into the merits of the matter, we inclined to grant petitioners conditional validity, since father of petitioner no.1 -Krishna and petitioner no.2 - Sunil has been granted validity certificate by the very Scrutiny Committee. Petitioner no.3 is the cousin of petitioner nos.1 and 2. Although, way back in 2019, the orders regarding reopening of the proceedings wherein validity certificates to the blood relations of petitioners have been granted, those proceedings have still not been taken to a logical conclusion. Since the father of petitioner no.1 -Krishna and petitioner no.2 - Sunil

has been granted validity certificate and there is no case of obvious fraud in obtaining those validity certificates.

4. Moreover those validity holders are not before us to meet the contention raised by the learned AGP and same would be subject matter of the proceedings, which are proposed to be reopened, the only course open for us is to direct the Scrutiny Committee to grant petitioners herein the conditional validity certificates inspite of strong objection raised by the learned AGP in that regard.

5. Learned AGP informs that there were contra entries in the school record of grandfather and cousin grandfather of petitioners indicating them to have belonged to Koli.

6. In this view of the matter, we proceed to pass the following order :

ORDER

- (i) The Writ Petition is partly allowed.
- (ii) The impugned order dated 11.10.2024, passed by the respondent No.2/Scrutiny Committee is quashed and set aside.
- (iii) The respondent No.2/Scrutiny Committee shall issue tribe validity certificate to the petitioners as belonging to Koli Mahadev – Scheduled Tribe forthwith.
- (iv) The said validity to the petitioners shall be co-terminus with the validity issued in favour of the blood relations of petitioners, on whose claim the petitioners have relied.

(3)

(v) Writ Petition stands disposed of.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

Mujaheed//