

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12630 OF 2024

Sanket Hulram Chintalwad

VERSUS

The State Of Maharashtra Through Its Secretary And Another

...

Advocate for the Petitioner : Mr. Jadhavar Pratap V.

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 petitioner claims to have belonged to Koli Mahadev - Scheduled Tribe. His tribe certificate was subjected to verification. The Scrutiny Committee refused to grant tribe validity in favour of the petitioner. The petitioner is therefore before us.

3. Learned AGP although strongly objects for allowing the writ petition, the fact is that the petitioner's father and real uncle have been granted validity certificate by the Scrutiny Committee itself. Those proceedings were taken to logical conclusion after following the due procedure under the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes, (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation

of Issuance and Verification of) Caste Certificate Act, 2000 and Rules thereunder.

4. Since the petitioner's father holds the validity certificate, the petitioner needs to be granted the same. The petitioner has been denied the relief by the Scrutiny Committee observing that the word 'Maha' appears to have been interpolated in the school record of the petitioner's father, who has been granted validity. The Scrutiny Committee has now proposed to reopen the petitioner's file. In our view, so long as the validity certificate granted in favour of petitioner's father holds the field, the petitioner needs to be granted validity certificate. It would only be after the certificate granted to petitioner's father is revoked, then only petitioner may not be entitled for the claim.

5. 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 25.10.2024, 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 petitioner as belonging to Koli Mahadev – Scheduled Tribe forthwith.

(3)

(iv) The said validity certificate shall be co-terminus with the validity certificate issued in favour of his father and real uncle.

(v) Writ Petition stands disposed of.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)