



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 WRIT PETITION NO. 5738 OF 2025

Sainath Sanjay Nilewad

VERSUS

The State Of Maharashtra Through Its Secretary And Another

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Mr. Phatale Sagar S, Advocate for the Petitioner

Mr. V. M. Kagne, AGP for Respondents State

CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

Dated : 30th April, 2025

PER COURT :-

1. The petitioner is challenging the order of invalidation.
2. We have heard both sides finally.
3. The parties are ad idem that the petitioner's claim was decided by allowing his request to consider and treat the vigilance cell enquiry conducted in the matter of his real sister Aishwarya and her response to it, in his matter. Aishwarya had faced similar invalidation, however, in writ petition no 7590 of 2018, by order dated 25 July 2018, division bench of this court quashed and set aside the order of the committee and held her entitled to have a certificate of validity giving a clarification that the validity would depend upon the final outcome of the proceedings for cancellation of validity proceeded against her blood relations.

4. It is objectively clear that same set of evidence has been scrutinized in the matter of Aishwarya as also in the matter of the petitioner for rejecting the claims. When the division bench of this court has already embarked upon the sustainability of the similar decision in the matter of Aishwarya, for the same reasons, we allowed the writ petition partly.

5. The impugned order is quashed and set aside. The committee shall issue certificate validity to the petitioner of 'Koli Mahadev' Scheduled Tribe, which shall be coterminous with the validity of the individuals whose claims the committee has decided to reopen.

6. The petitioner shall not be entitled to claim equities.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)