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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

969 WRIT PETITION NO. 2787 OF 2026

Swapnil Ratan Tapse

VERSUS

The State Of Maharashtra And Another

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Mr. Vivekanand U. Jadhav, Advocate for the Petitioner
Ms. M. N. Ghanekar, AGP for Respondents/State

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CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.

DATED : 21st APRIL 2026

ORDER (Per Abasaheb D. Shinde J.) :-

1. Heard.
2. By this Writ Petition, the petitioner challenges the order dated 30.09.2025 passed by Respondent No.2/Scrutiny Committee thereby invalidating the claim of the petitioner of belonging to 'Koli Mahadev', Scheduled Tribe.
3. Learned Counsel for the petitioner, inviting our attention to the genealogy submitted before Respondent No.2/Scrutiny Committee as well as to the Vigilance Cell Enquiry conducted in respect of the petitioner, submits that a common Vigilance Cell Enquiry was conducted in respect of the tribe claim of the petitioner and one Mr. Umesh Shriram Tapse. As far as said Umesh Tapse is concerned, while his tribe claim was invalidated, he approached this Court by filing

Writ Petition No.4874 of 2025 and this Court by an order dated 09.04.2025, after considering the selfsame record, granted conditional validity in favour of the said Umesh Tapse. He, therefore, submits that since the blood relative has been granted conditional validity by this Court, the petitioner deserves to be granted conditional validity.

4. Per contra, learned AGP submits that Respondent No.2/Scrutiny Committee has rightly turned down the tribe claim of the petitioner, as the petitioner has failed to establish that he belongs to 'Koli Mahadev', Scheduled Tribe. She would further submit that Respondent No.2/Scrutiny Committee has noticed certain contra entries which disentitle the petitioner from even being granted conditional validity. She therefore urge that the Writ Petition deserves to be dismissed.

5. Having heard the learned Counsel for the petitioner and learned AGP, we find that when there is no dispute about the relationship of the petitioner with the validity holder, namely, Umesh Tapse. In the light of the fact that the joint Vigilance Cell Enquiry was conducted while considering tribe claim of the petitioner as well as said Umesh Tapse and once this Court has granted conditional validity to Umesh Tapse, the petitioner also deserves to be granted

conditional validity. In that view of the matter, we pass the following order :-

O R D E R

- i. The Writ Petition is partly allowed.
- ii. The impugned order dated 30.09.2025 passed by Respondent No.2/Scrutiny Committee thereby invalidating the claim of the petitioner of belonging to 'Koli Mahadev', Scheduled Tribe, is hereby quashed and set aside.
- iii. Respondent No.2/Scrutiny Committee is directed to issue validity certificate of belonging to 'Koli Mahadev', Scheduled Tribe to the petitioner. The validity certificate granted to the petitioner will be subject to outcome of the reopening proceedings of the validity certificate of the validity holders on which the petitioner places reliance.
- iv. The petitioner will not claim any equity.

[ABASAHEB D. SHINDE, J.]

[SANDIPKUMAR C. MORE, J.]