



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4162 OF 2025

URMILA VILAS PHULBONE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Jadhavar Pratap V.
AGP for Respondent / State : Mr. S.P. Sonpawale
Advocate for Respondent No.4 : Mr. Shahane Pradeep L.

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

DATE : 26.02.2026

PER COURT:

1. Heard.
2. By this writ petition the petitioner takes exception to the impugned order dated 18.03.2025 passed by the respondent – Scrutiny Committee, thereby, invalidating the tribe claim of the petitioner of belonging to ‘Koli Mahadev’ scheduled tribe.
3. Learned counsel for the petitioner inviting attention of this Court to the order dated 01.10.2024, passed by this Court in Writ Petition No.10704/2024 in the case of **Gajanan Vilas Phulbone Vs. The State of Maharashtra and another**, would submit that the said validity holder to whom this Court has granted validity is real

brother of the petitioner. He would submit that this Court has granted conditional validity to the real brother of the petitioner despite having observed that the validity of petitioner's father has been reopened. He, therefore, urge that the petitioner deserves to be granted conditional validity.

4. Per contra, learned AGP would submit that the original validity holder namely Vilas Manikrao Phulbone whose validity certificate has been relied upon by this Court while issuing conditional validity to Gajanan Vilas Phulbone (supra), the validity of said Vilas is now sought to be reopened by the Scrutiny Committee and has even issued notice, thereby, proposing to reopen his validity certificate. He, however, does not dispute the relationship of the petitioner with the said validity holder to whom this Court has granted conditional validity. At this juncture it would be apt to reproduce the observations of this Court while granting conditional validity to **Gajanan Vilas Phulbone** (supra) and more particularly in paragraph No.13 which reads thus :

“13. In the light of above, the impugned order refusing to extend benefit of Vilas's validity to the petitioner in spite of it having been issued by following due process of law would not be sustainable and is liable to be reversed, more so, when as submitted by petitioner's learned advocate he is ready to run the risk of facing consequences as laid down in **Shweta Balaji Isankar** (supra).”

5. In that view of the matter, we find that the petitioner deserves to be granted conditional validity. We, therefore, pass the following order:

ORDER

- I. The writ petition is partly allowed.
- II. The impugned order dated 18.03.2025 passed by the respondent – Scrutiny Committee, is hereby quashed and set aside.
- III. The committee shall immediately issue certificate of validity to the petitioner of belonging to ‘Koli Mahadev’ scheduled tribe which shall be co-terminus with the validity of his father namely Vilas Manikrao Phulbone.
- IV. The petitioner shall not claim any equity.

(ABASAHEB D. SHINDE, J.)

(SANDIPKUMAR C. MORE, J.)