



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 15146 OF 2025

Sudhir Satish Tippanbone,
Age-27 years, Occu: Service,
R/o. Nadhiattarga, Tq. Nilanga,
Dist. Latur.

...Petitioner

VERSUS

1. The State of Maharashtra
Through its Secretary,
Rural and Tribal Development Department,
Aurangabad.
2. The Scheduled Tribe Certificate Scrutiny
Committee, Kinwat Division at Aurangabad.
Add. Near Cidco Bus Stand,
N-2, Cidco, Aurangabad.
Through its Joint Commissioner
3. The Chief Engineer,
Public Works Department,
Regional Office, Nagpur,
Office: Bandhkam Sankul,
Bungalow No.39/1,
Civil Line, Nagpur-440 001.

...Respondents

Advocate for Petitioner : Mr. Mohanish V. Thorat
AGP for Respondent/State : Mr.P.K. Lakhotiya

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

**RESERVED ON : 14.01.2026
PRONOUNCED ON : 06.03.2026**

FINAL ORDER : (*PER : ABASAHEB D. SHINDE, J.*)

. Heard.

2. By this Writ Petition under Article 226 of the Constitution of India, the petitioner takes exception to the common judgment and order dated 04.12.2025 passed by the respondent No.2/Scrutiny Committee by which the tribe claim of the petitioner of belonging to 'Koli Mahadev' Scheduled Tribe has been invalidated.

3. Learned counsel for the petitioner submits that the petitioner has been issued a tribe certificate of belonging to 'Koli Mahadev' Scheduled Tribe by the competent authority. The said tribe certificate was referred to the respondent No.2/Scrutiny Committee for its verification. The petitioner in support of his tribe claim has submitted several documents including the oldest documents having higher probative value. He submits that the said documents includes the school record of his cousin grandfather viz. Mohan Govinda Tippanbone dated 04.10.1961. The petitioner also submitted the documents pertaining to his another cousin grandfather viz. Devidas Sadhu Tippanbone

pertaining to 1342 fasli likewise petitioner submitted another document pertaining to his cousin great-grandfather viz. Sadhu Nagappa Tippanbone pertaining to 1357 Fasli. He further submits that besides these oldest documents, petitioner has also produced the revenue record pertaining to his blood relatives and all these documents would show that the petitioner belongs to 'Koli Mahadev' Scheduled Tribe.

4. Learned counsel for the petitioner would submit that the respondent/Scrutiny Committee however, invalidated the tribe claim of the petitioner by discarding all these oldest documents on the ground that during the vigilance cell enquiry all these documents were found to be suspicious. He would further submit that, to the vigilance cell report which has raised suspicion about these documents, the petitioner has filed an exhaustive reply on 13.08.2025 and has pointed out that these documents cannot be termed as suspicious having regard to the fact that the petitioner alongwith the said reply has filed the necessary documents including the certificates as well as affidavits of concerned translators to

substantiate that all these documents are genuine. He further submit that so far as the documents pertaining to 1342 Fasli and 1357 Fasli are concerned, these documents are genuine as those were secured from the competent authority viz. the concerned Court from Gulbarga, Karnataka State. He thus submit that these documents could not have been brushed aside by the Scrutiny Committee merely by relying on the report of vigilance cell. He therefore, submit that without considering the reply filed by the petitioner, the Scrutiny Committee invalidated the tribe claim of the petitioner.

5. In order to buttress his submission that these old documents could not have been brushed aside by the Scrutiny Committee and ought to have given more weightage to these oldest documents submitted by the petitioner and ought to have issued validity certificate, he relied on the following judgments of this Court :

- (i) Manisha d/o. Madhavrao Wantekar and others
vs. The State of Maharashtra and Another in Writ
Petition No.13162 of 2023;

(ii) Manisha d/o. Madhavrao Wantekar and others vs. The State of Maharashtra and Another in Writ Petition No.9846 of 2024;

(iii) Samriddhi Yogesh Savale vs. The State of Maharashtra and others in Writ Petition No. 1209 of 2022;

(iv) Kum. Bhumika D/o. Ravindra Koli vs. The State of Maharashtra and others in Writ Petition No.717 of 2021

6. *Per contra*, learned AGP would submit that the respondent/Scrutiny Committee has rightly invalidated the tribe claim of the petitioner as the petitioner has utterly failed to substantiate that the petitioner belongs to 'Koli Mahadev' Scheduled Tribe.

7. He submits that the revenue record collected during the vigilance cell enquiry and more particularly the documents pertaining to cousin great grandfather of the petitioner viz. Sadhu Nagappa Tippanbone of the year 1954-55 and 1962-63 shows his caste as 'Koli'. Similarly, other cousin great

grandfathers of the petitioner viz. Maruti Nagappa Tippanbone and Dhondiba Laxman Tippanbone show their caste as 'Koli' in revenue record pertaining to the year 1954-55. He would submit that the so called document pertaining to 1342 Fasli is concerned, during the course of vigilance cell enquiry, after perusing the concerned revenue record it was found that this document is suspicious. He further submit that after getting this document translated from the concerned Tahsildar as well as getting the original copies from the Tahsil Office, Omerga, it was revealed that this document is found to have been fabricated. He would further submit that the so called document pertaining to 1357 Fasli which is purported to have been obtained from the Gulbarga Court, (Kalburgi, Tq.&Dist. Kalburgi, Karnataka State) is concerned, after getting the copy of the said document, the Scrutiny Committee found that there are certain interpolations and none of the person shown in the said document is blood relative of the petitioner, as the genealogy submitted by the petitioner does not figure out their names. He would further submit that having regard to the

translation of the said 'Urdu' document into 'Marathi', it was revealed that there is a vast difference between the names shown by the petitioner and the actual names and that itself goes to show that this document is also forged and fabricated.

8. Learned AGP would submit that these very documents were sought to be relied on in other cases filed before this Court in which this Court was required to direct an enquiry and after conducting the trial, it was revealed that the same documents are being procured by several persons to show their relationship with the persons shown in those documents. He would further submit that this Court in identical facts and situation has dismissed the petition filed by one ***Sumit Keshavrao Tippanbone vs. The State of Maharashtra and others*** in **Writ Petition No. 9674 of 2022** vide its order dated 20.09.2023 who had also relied on the document pertaining to said Mohan Govinda Tippanbone dated 04.10.1961 thereby, holding the said document to be forged and fabricated.

9. Learned AGP thus has relied on the order passed by

this Court in the case of **Sumit Keshavrao Tippanbone** (supra) as well as the order dated 19.12.2011 passed in the case of ***Kum.Balika Dagadu Patakras vs. The State of Maharashtra and others*** in **Writ Petition No. 4297 of 2007**, to substantiate his submission that this Court had directed an enquiry in respect of these very documents. He would therefore, urge that in fact this is also a fit case where this Court should direct a thorough enquiry about procuring these kind of documents. He further submits that, the *Modus Operandi* of the authority issuing these documents is that no sooner the certified copies of these documents are issued, the concerned authority certifies that the original documents have been destructed. He therefore, submit that the Writ Petition is devoid of any substance and the same is liable to be dismissed.

10. Having heard rival submissions advanced on behalf of learned counsel for the petitioner as well as learned AGP, we find that the documents produced by the petitioner pertaining to 1342 Fasli has been discarded by the respondent/Scrutiny Committee, on the ground that the

concerned revenue officer from Tahsil office, Omerga who has supplied the copies during vigilance cell enquiry, found those to be suspicious. Moreover, even the document pertaining to 1357 Fasli sought to be relied upon from the Gulbarga Court (Kalburgi, Karnataka State) is also found to be suspicious. The Scrutiny Committee relying on the vigilance cell enquiry also found the revenue record of the petitioner's forefathers adverse to the petitioner as, this revenue record shows the caste of the petitioner's forefathers as 'Koli'. Moreover, it is revealed that the word 'Mahadev' has been inserted later on. The Scrutiny Committee has also discarded the document of 1961 pertaining to petitioner's cousin grandfather viz. Mohan Govinda Tippanbone on the ground of interpolations in the school record.

11. We however, find that to the vigilance cell enquiry report submitted by the vigilance cell on 25.07.2025 pointing out all these contra entries, the petitioner has filed an exhaustive reply which runs almost into 31 pages, alongwith certain documents to support his tribe claim. The documents

placed on record by the petitioner alongwith his reply to the vigilance cell enquiry are also placed on record in this Writ Petition. We find that the Scrutiny Committee has neither dealt with the reply filed by the petitioner in the impugned order nor has given any finding about its non-acceptance. We therefore, find that reply filed by the petitioner to the vigilance cell report as well as the documents placed on record alongwith the said reply needs to be considered by the Scrutiny Committee in view of Rule 12(8) of the Mah.ST (Regulation of Issuance and Verification of) Certificate Rules, 2003 which reads thus :

“12. Procedure to be followed by Scrutiny Committee :

(8) If the Scrutiny Committee, on the basis of the Vigilance Cell report and other documents available, is not satisfied about the claim of the applicant, the Committee shall issue a show cause notice to the applicant and also serve a copy of the report of the Vigilance Officer by registered post with acknowledgment due. A copy shall also be sent to the Head of the Department concerned, if necessary. The notice shall indicate that the representation or reply, if any, should be made within fifteen days from the date of receipt of the notice and in any case not more than thirty days from the date of receipt of the notice. In case the applicant granted. for adjournment or extension of the time-limit, reasonable time, may be

granted.”

12. We thus, find that this is a fit case to remand the matter back to the Scrutiny Committee to consider the reply filed by the petitioner to the vigilance cell as well as the documents sought to be placed on record alongwith the said reply.

13. Although these documents are placed on record in this Writ Petition however, this Court can neither ascertain the authenticity of these documents nor can verify the correctness of the translations etc. of these documents.

14. In the result, we are inclined to allow this Writ petition partly by remanding the matter back to the Scrutiny Committee. Hence, we pass the following order :

ORDER

- i) The Writ Petition is partly allowed.
- ii) The impugned order dated 04.12.2025 passed by The Scheduled Tribe Certificate Scrutiny Committee, Kinwat Division at Aurangabad vide Application No.9/ 524/ SER/ 122024/122876 is hereby quashed and set-aside.

- iii) The matter is remitted back to the Scrutiny Committee to consider the reply filed by the petitioner alongwith the documents placed on record annexed to the said reply which is also part of record of this Writ Petition by way of Exh. 'E' and Exh. 'F' collectively.
- iv) The respondent/Scrutiny Committee will be at liberty to verify the correctness of translations and the contents of the said documents and then pass an appropriate order in accordance with law.
- v) The Writ Petition stands disposed of in above terms.

(ABASAHEB D. SHINDE, J.) (SANDIPKUMAR C. MORE , J.)

V.S.Joshi