

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

970 WRIT PETITION NO. 2789 OF 2026

1. Sai S/o Rajaram Gaikwad,
Age : 18 Years, Occ. Education,
R/o. House No. 71, Ghulewadi,
Sangamner, Dist. Ahilyanagar

2. Om S/o Rajaram Gaikwad,
Age : 18 Years, Occ. Education,
R/o. as above.

...PETITIONERS

V E R S U S

1. The State of Maharashtra,
Through Secretary,
Department of Tribal Development,
Mantralaya, Mumbai -32.

2. Scheduled Tribes Certificate Scrutiny
Committee, Nashik Division Nashik-2,
Through its Member Secretary.

..RESPONDENTS

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Advocate for the Petitioners : Mr. Deepak D. Choudhari

AGP for Respondents: Mr. S. P. Sonpawale

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

DATED : APRIL 22, 2026

ORAL ORDER (PER ABASAHEB D. SHINDE, J):-

1. Heard.
2. By this Writ Petition, the petitioners seek to challenge the judgment and order dated 12.01.2026 passed by the respondent/Scrutiny Committee, by which the tribe claim of the

petitioners of belonging to “*Koli Mahadev*” Scheduled Tribe have been invalidated.

3. The learned counsel for the petitioners inviting attention of this Court to the genealogy annexed with the Writ Petition, which is also a part of record before the respondent/Scrutiny Committee, would submit that, the blood relatives of the petitioners namely *Akshay Raghunath Gaikwad*, whose tribe claim was invalidated, had approached this Court by filing Writ Petition No. 10939 of 2019 and this Court after considering the self-same record, granted him conditional validity. He, therefore, urged that the petitioners deserve to be granted conditional validity.

4. Per contra learned A.G.P. would submit that there are certain contra entries, which have been noticed by the Scrutiny Committee while invalidating the tribe claim of the petitioners. He would submit that, the Scrutiny Committee has rightly discarded the documents on which the petitioners have placed reliance. He however, does not dispute the relationship of the petitioners with the said validity holder namely *Akshay Raghunath Gaikwad* (*supra*).

5. Since the blood relative of the petitioners has been granted conditional validity by this Court and neither the Scrutiny Committee nor the learned A.G.P. has disputed the relationship of the petitioners with the validity holder, we are inclined to allow this Writ Petition partly. We, therefore, pass the following order.

ORDER

- (i) The Writ Petition is partly allowed.
- (ii) The impugned order dated 12.01.2026 passed by the respondent/Scrutiny Committee is hereby quashed and set- aside
- (iii) The respondent/Scrutiny Committee is directed to issue validity certificate to the petitioners of belonging to “Koli Mahadev” Scheduled Tribe
- (iv) The issuance of validity certificate in favour of petitioners would be subject to outcome of the proceedings undertaken by the respondent/Scrutiny Committee for re-opening the validity certificate, on which the petitioners placed reliance.
- (v) The petitioners shall not claim any equities.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE

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