



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

WRIT PETITION NO. 7242 OF 2024

Lekhashri Rahul Sonawane .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri R. K. Mendadkar and Shri Vijay Gangawad a/w Shri A. S. Bayas, Advocates for the Petitioner.

Shri R. S. Wani, A.G.P. for the Respondent Nos. 1 and 2.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.**

DATE : 02 AUGUST, 2024.

FINAL ORDER :

. Petitioner is challenging the order whereby the respondent No. 2/Scrutiny Committee has confiscated and cancelled her 'Tokre Koli' scheduled tribe certificate.

2. We have heard both the sides.

3. It appears that, the petitioner was relying upon validies mentioned in Clause 4 of para No. 7 of the impugned judgment and order.

4. Incidentally, the validity certificates of these very individuals were subsequently recalled by issuing them notices by the order dated 30.06.2022. In Writ Petition No. 936 of 2023 all these

persons challenged the order recalling their validity certificates. By the judgment and order dated 26.09.2023, this Court allowed the writ petition and set aside the order of scrutiny committee recalling the validities. Since it was an order passed on 26 September, 2023, so long as that order is not reversed, it would be an open and shut case. The process of invalidation of the validities of these many individuals having reached finality, we need not indulge in any further scrutiny of the petitioner's claim on its own merits. There being no dispute about blood relationship between the petitioner on one hand and these validity holders on the other, impugned judgment and order being illegal and unsustainable will have to be reversed.

5. Writ petition is allowed. Impugned judgment and order dated 24.07.2018 passed by the respondent No. 2/Scrutiny Committee is quashed and set aside. The respondent No. 2/Scrutiny Committee shall issue tribe validity certificate to the petitioner of 'Tokre Koli' (scheduled tribe) immediately.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/Aug. 24