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

**CIVIL APPLICATION NO.13635 OF 2024
IN
WRIT PETITION NO.1496 OF 2023
WITH
WRIT PETITION NO.1496 OF 2023**

**RAVINDRA GANPAT BAVISKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Shri Mohanish V. Thorat, Advocate for the petitioner.
Shri S.R. Wakale, AGP for respondent Nos.1 to 3/State.

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**CORAM : MANGESH S. PATIL
&
PRAFULLA S. KHUBALKAR, JJ.**

DATE : 14th December, 2024

Per Court (*Prafulla S. Khubalkar, J.*):-

(a) Civil Application No.13635/2024:-

This Civil Application is for permission to file additional documents. The petitioner/ applicant wants to file on record, copies of validity certificates dated 01.10.2024 granted in favour of his children along with copy of vigilance cell report in their cases.

2. These documents are germane to decide the petition finally. Hence, the Civil Application is allowed.

(b) Writ Petition No.1496/2023:-

3. Heard on the Writ Petition.

4. The petitioner has challenged the order dated 05.03.2021 passed by respondent No.2/ Scheduled Tribe Certificates Scrutiny Committee, Dhule, invalidating his tribe claim of 'Tokre Koli', Scheduled Tribe. He has raised several grounds to assail the impugned order.

5. The learned advocate for the petitioner submits that during pendency of the instant petition, respondent No.2 Scrutiny Committee has issued the certificates of validity in favour of the petitioner's son by name Yash Ravindra Baviskar, petitioner's daughter Ugandhara Ravindra Baviskar and another daughter Yukta Ravindra Baviskar. All these validity certificates are granted on 01.10.2024.

6. It is submitted that in view of these validity certificates, the petitioner is also entitled to grant of a validity certificate.

7. The certificates of validity in favour of the children of petitioner, which are placed on record, are perused. In view of

those validity certificates, the petitioner is entitled to grant of a validity certificate in view of the law laid down in the matters of ***Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti vs. The State of Maharashtra and others, AIR 2023 SC 1657*** and ***Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 Nagpur, 2010(6) Mh.L.J.401 : AIR 2010(6) Bom.R. 21***. As such, the petition needs to be allowed.

8. Hence, the following order:-

(a) The Writ Petition is allowed.

(b) The impugned order dated 05.03.2021 passed by respondent No.2 Scrutiny Committee is hereby quashed and set aside.

(c) Respondent No.2 Scrutiny Committee, Dhule, is directed to immediately issue validity certificate of 'Tokre Koli', Scheduled Tribe, in favour of the petitioner in the prescribed format.

(d) No order as to costs.

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(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)