

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

WRIT PETITION NO. 4996 OF 2021

Sahil Yashwant Gadage

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Omgashad B. Boinwad, Advocate for the Petitioner.

Shri P. K. Lakhotiya, A.G.P. for Respondent Nos. 1 and 2.

Shri D. G. Nagode, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 13TH DECEMBER, 2021.

FINAL ORDER :

. The learned counsel for the petitioner submits that, the caste claim of the petitioner as belonging to Koli Mahadev (Scheduled Tribe) is invalidated under common judgment dated 17.02.2021. Under the said judgment even caste claims of Adiya S/o Mukund Gadage, Sumit Maroti Gadage, Sankalpa Arun Gadage, Santosh Arjun Gadage and Mukund Gangaram Gadage were invalidated along with that of the petitioner. This Court under order dated 20th October, 2021 in Writ Petition No. 8314 of 2021 has directed the Committee to issue validity certificates. In the said judgment this Court observed as under :

5. Once this Court has granted validity to real sister and brother of the petitioner No. 5 and real uncle of the petitioner

No. 1, it was unjust on the part of the respondent Committee to invalidate. All the petitioners are paternal relatives of each others. The respondent/Committee could not have taken a different view and sat over the judgment of this Court.

2. In the light of the above, we follow the same course.

3. The impugned judgment is quashed and set aside. The Committee shall issue validity certificates to the petitioner of Koli Mahadev (Scheduled Tribe) immediately. In case the judgment of this Court as referred to above is reviewed, then the validities issued in favour of the present petitioner would be subject to the decision in the said proceedings.

4. The writ petition is disposed of. No costs.

[S. G. DIGE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Dec.21