

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 11697 OF 2018**

Pallavi Sunil Gawali  
Aged 27 years, residing at Sr. No.58/1,  
Azadnagar, near SRPF Group No.2,  
Ramtekdi, Pune – 22.

**...Petitioner**

**Versus**

1. State of Maharashtra  
through its Secretary, Tribal  
Development Department, Mantralaya,  
Mumbai – 400 032.
2. Scheduled Tribe Certificate Scrutiny  
Committee, Pune Divison, Pune,  
through its Member Secretary, having  
its office at 28, Queen's Garden,  
Pune-411 001, Dist. Pune.
3. Sub Divisional Officer,  
Baramati Sub Division, Baramati,  
Dist. Pune.

**...Respondents**

Mr. Ramchandra K. Mendadkar, for the Petitioner.  
Mr. A. I. Patel, Addl. G. P. a/w Mr. Y. S. Khochare, AGP for  
Respondent nos.1 to 3.

**CORAM: R. M. BORDE &  
N. J. JAMADAR, JJ**  
**DATED: 9<sup>th</sup> JULY, 2019**

**Oral Judgment:-** (Per R. M. Borde, J.)

1. Rule. Rule made returnable forthwith and, with the consent of the counsels for the parties, heard finally.
2. The Petitioner is objecting to the order passed by the Scrutiny Committee on 17<sup>th</sup> October, 2016, refusing to issue validation certificate to the Petitioner as 'Thakar', Scheduled

Tribe. The Petitioner – Pallavi along with her cousin sister, Megha Dilip Gawali, tendered a proposal for issuance of validation certificate to the Scrutiny Committee. The Scrutiny Committee by a common order passed on 17<sup>th</sup> October, 2016, rejected the claims of both the applicants.

**3.** Mr. Mendadkar, the learned Counsel for the Petitioner has placed on record the order passed by the Division Bench of this Court in Writ Petition No.12805 of 2016, presented by Megha Dilip Gawali objecting to the common order passed by the Scrutiny Committee on 17<sup>th</sup> October, 2016. The Division Bench of this Court, for the reasons set out in the order has allowed the petition and directed the Scrutiny Committee to issue validation certificate. There is no reason as to why the same direction shall not be issued in favour of the Pallavi, one of the applicants before the Scrutiny Committee.

**4.** Hence, for the reasons recorded in the order passed by the Division Bench of this Court on 11<sup>th</sup> January, 2017, the instant petition also deserves to be allowed and the same is accordingly allowed.

**5.** The order passed by the Scrutiny Committee refusing the issue of validation certificate to the Petitioner herein, is quashed and set aside and the Scrutiny Committee is

directed to issue validation certificate in favour of the Petitioner, within two weeks from today.

**6.** Rule is made absolute. There shall be no order as to costs.

**[N. J. JAMADAR, J.]**

**[R. M. BORDE, J.]**