

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

**WRIT PETITION NO. 3755 OF 2002**

Sunil S/o. Triloknarayan Tekur,  
Age: 33 Years, Occu.: Nil,  
R/o.: Murgi Talab, Jalna.

.. **Petitioner**

**Versus**

1. The State of Maharashtra.
2. The Committee for Scrutiny and  
Verification of Tribe Claims,  
MS Aurangabad.
3. The Executive Magistrate,  
Jalna.
4. The Maharashtra State Road Transport  
Corporation,  
Through its Divisional Controller,  
Jalna.

.. **Respondents**

Shri U. R. Aute h/f Shri S. B. Talekar, Advocate for the  
Petitioner.

Mrs. R. P. Gour, A. G. P. for Respondent Nos. 1 to 3.  
None for Respondent No. 4.

**CORAM : S. V. GANGAPURWALA &  
MANGESH S. PATIL, JJ.**

**DATE : 7<sup>th</sup> September, 2017**

**ORAL ORDER (PER S. V. GANGAPURWALA, J.) :**

1. The tribe claim of the petitioner as 'Mannerwarlu' scheduled tribe was referred to the committee for verification. The committee invalidated the tribe claim of the petitioner, aggrieved thereby the present petition.

2. Mr. Aute, the learned counsel for the petitioner strenuously contends that the petitioner had produced on record 25 documents to satisfy his tribe claim. According to the learned counsel, the school leaving certificate has not been considered in its correct perspective. The documents, such as, the certificate issued by Marathwada Adivasi Mahasangh, Aurangabad shows that petitioner belongs to 'Mannerwarlu' scheduled tribe. The caste certificate issued to the father of the petitioner and the petitioner also satisfy the said fact. The identity card and the first page of the service book also shows the tribe of the petitioner being recorded as 'Mannerwarlu'. The real young brothers caste is recorded as 'Mannerwarlu' in the school record. These documents were sufficient to prove the caste of the present petitioner as 'Mannerwarlu'. Only because documents prior to 1950 was not produced the committee has invalidated the tribe claim.

3. The learned A. G. P. supports the order.

4. We have gone through the judgment delivered by the committee. It has been observed by the committee that in the school record of the petitioner the caste is not recorded and in one document the caste is 'Telugu'. The certificate issued by the society or the mahasangh may not be much relevant. The first page of the service book of the petitioner is representation given by the petitioner himself.

5. There are no documents proving the claim of the petitioner as 'Mannerwarlu' scheduled tribe. It has also been observed that the petitioner has failed to prove his affinity and ethnic linkage towards 'Mannerwarlu' scheduled tribe. The school record has been considered.

6. Upon appreciation of the documents and the vigilance report it would appear that the committee has come to the correct conclusion and has rightly negated the tribe claim of the petitioner.

7. In light of that, writ petition is dismissed. Rule discharged. No costs.

**[MANGESH S. PATIL, J. ]**

**[S. V. GANGAPURWALA, J. ]**