

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10386 OF 2017

Akshay Ashokrao Lankewad

...Petitioner

vs.

State of Maharashtra and Others

...Respondents

Mr. M.S. Deshmukh, for the Petitioner

Mr. A.A. Kumbhkoni, Advocate General a/w. Mr. Sandeep Babar,
AGP, for the Respondents.

**CORAM : SHANTANU KEMKAR &
G.S. KULKARNI, JJ.**

DATE : OCTOBER 04, 2017

P.C.:

. Parties through their counsel.

2. Rule, returnable forthwith. By consent of the parties,
heard finally.

3. Today when the matter came up for hearing, the learned
counsel for the Petitioner submits that the question involved in this
Petition has already been considered and decided by the Division
Bench of this Court in the case of **Ankita Ashok Nimmalwar vs.
State of Maharashtra and Ors., in Writ Petition (St.) No.25738
of 2017** decided on **25th September, 2017.** In para 12 of the said
order, this Court has observed as under :

“As regards the description / nomenclature as referred in the school leaving certificate of the petitioner's father, when we asked the learned special counsel to take instructions and make a statement as to whether there was any “Mannarvarlu” caste or tribe in existence, so that it can be said that the petitioner does not belong to the tribe in question, the answer to the learned special counsel was that there is no other “Mannarvarlu” caste as sought to be referred to by the Caste Scrutiny Committee, to reject the claim of the petitioner. If this be the case, the petitioner would be justified in criticizing the observations as made in paragraph 5 of the impugned order, which are purely on the description / nomenclature of the tribe to refer “Mannarvarlu” instead of “Mannervarlu”, in vernacular in the school leaving certificate issued to the petitioner's father.”

4. In view of the aforesaid submissions made on behalf of the parties, we dispose of this Petition in terms of the aforesaid order passed in the case of **Ankita Nimmalwar in Writ Petition (St.) No.25738 of 2017** (supra).

5. As a result, the Petition is allowed.

6. The Caste Scrutiny Committee is directed to grant the caste validity certificate to the Petitioner forthwith on receipt of authenticated copy of this order.

7. Rule is made absolute.

(G.S. KULKARNI, J.)

(SHANTANU KEMKAR, J.)