

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

21 WRIT PETITION NO.8503 OF 2019

SANKET SANJAY SIDHEWAD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. Pratap V. Jadhavar, Advocate for the
Petitioner.

Mr. P. S. Patil, AGP for Respondents-State.

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

DATED : 16th JULY, 2019.

PER COURT:-

1. The tribe claim of the petitioner is
invalidated.

2. The committee has relied on the field book
of the great grandfather of the petitioner wherein
the caste is recorded as 'Munnurvar'. The
'Munnurvar' is in special backward class. The
petitioner claims to be belonging to 'Mannervarlu',
Scheduled Tribe. According to Mr. Jadhavar,
learned counsel the Khasara Patrak of the year
1954-1955 records tribe as 'Mannervarlu', however,
the committee has not considered the same.
According to the learned counsel, the second degree
cousins of the petitioner namely Shital, Omkar and

Sudhakar are issued with the validity certificate of 'Mannervarlu', Scheduled Tribe.

3. According to learned A.G.P. no vigilance was conducted while issuing validity to Shital.

4. Be that as it may, basically the old documents will have more probative value. The Khasara Patrak according to the petitioner records tribe as 'Munnurvarlu'. According to the learned A.G.P. the field book of the said great grandfather of the petitioner records tribe as 'Munnurvar' and as far as petitioner's father's case is concerned, 'Mannervarlu' has been written subsequently after rounding of words Manner and Varlu.

5. Considering that the old Khasara Patrak was also required to be considered, we set aside the judgment of the committee and remit back the proceeding. The committee shall consider the relevance of the Khasara Patrak, its genuineness and take decision afresh by 18.07.2019. The petitioner shall appear before the committee today itself.

6. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE