

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8699 OF 2019**

Mayur Sanjay Suryawanshi & Anr	...Petitioners
<i>Versus</i>	
The State of Maharashtra through Secretary, Tribal Development Department & Ors	...Respondents

Mr RK Mendadkar, *for the Petitioners.*
Mrs AA Purav, AGP, *for Respondents Nos. 1 & 2-State.*
Mr Sameer P Khedekar, *for Respondent No. 3.*

**CORAM: S. C. Dharmadhikari &
G. S. Patel, JJ.**
DATED: 18th September 2019

PC:-

1. This application for speaking to the minutes deserves to be allowed.

2. The impugned order was a common order passed while scrutinising and verifying the claim of the father as also the son, the Petitioners before us. At Exhibit "A" which is a copy of the impugned order, there is a clear endorsement in the cause title that the claim was of Mayur Sanjay Suryawanshi and Sanjay Shivdas Suryawanshi. Sanjay is in service and Mayur is student. If Mayur is a tribal in terms of our order, it cannot be that Sanjay is not. In fact,

it is the converse. The father is a tribal and, therefore, the son. Hence, once the common order is set aside by this Court , the benefit of the same will accrue in favour of both the Petitioners.

3. The Committee to take the corrective steps and issue a Certificate in favour of the father as well in terms of our order. That is to be done within two weeks from the date of receipt of copy of this order.

(S. C. DHARMADHIKARI, J)

(G. S. PATEL, J)