

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

WRIT PETITION NO. 2036 of 2020

Rutuja Vinayak Kalewad Through father ... Petitioner
Vinayak Mahajan Kalewad

Versus

The State of Maharashtra and another ... Respondents

Mr. Madhur A Golegaonkar, Advocate for the petitioner
Mrs V. S. Choudhary, A.G.P. for respondents State

CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.

DATE : 23rd October, 2020

ORDER:

1. Mr Golegaonkar, the learned counsel for the petitioner submits that the petitioner Rutuja d/o Vinayak is paternal cousin of Swati d/o Sambhaji Kalewad, petitioner in Writ Petition No. 1713 of 2020. The scrutiny committee delivered a common judgment dated 15.07.2020 in respect of the present petitioner and other candidates including Swati. In Writ petition No. 1713/2020 with connected writ petitions, by a common judgment dated 16th October, 2020, this Court has set aside the impugned order to the extent of petitioners therein.
2. The learned A.G.P. has also gone through the impugned order and accepts that the present petitioner was one of the parties to the proceedings decided by the Scrutiny Committee under the impugned order, which was the subject matter of Wit petition No. 1713/2020 with connected writ petitions.
3. It is admitted that Sambhaji and Vinayak are real brothers. The

present petitioner is daughter of Vinayak and Swati, petitioner in Writ Petition No. 1713/2020 is daughter of Sambhaji. We had allowed writ petition No. 1713/2020 with connected writ petitions under the judgment and order dated 16th October, 2020.

4. For the reasons recorded in the judgment and order dated 16th October, 2020 passed in Writ Petition No. 1713 of 2020 with connected matters, we pass following order:

O R D E R

1. The impugned order to the extent of the petitioner is set aside.
2. The Scrutiny Committee shall issue validity certificate of 'Mannervarlu' Scheduled Tribe to the petitioner immediately.
3. If the proceeding for cancellation of caste validity holders is answered against such caste certificate holders, it shall be open for the respondent-committee to issue show cause notice to the petitioner as to why the validity certificate granted to her should not be cancelled and it will be open for the Committee to take the proceedings to its logical end. Needless to state that the certificate issued to the petitioner is subject to the outcome of the proceeding for cancellation of validity issued in favour of her blood relations.
5. Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)