

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
937 WRIT PETITION NO.355 OF 2021**

NEHA NANDKUMAR GOVINDWAR

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Chandrakant R. Thorat, Advocate for the
Petitioner.

Mrs. V. S. Chaudhari, AGP for Respondents-State.

...

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

DATED : 12th JANUARY, 2021.

PER COURT:-

1. The tribe claim of the petitioner as belonging to "Mannervarlu", Scheduled Tribe is invalidated.

2. Amongst various submissions one of the submission made by Mr. Thorat, learned counsel for the petitioner is that real cousin sister of the petitioner namely Vaishnavi D/o Venkat Govindwar had also applied for the issuance of the validity certificate of "Mannervarlu", Scheduled Tribe. The same was invalidated. Ku. Vaishnavi preferred Writ Petition bearing Writ Petition No.9226/2019 before this Court at it's Principal Seat at Bombay. The Division Bench at Principal Seat allowed the writ petition filed by the real cousin Vaishnavi and directed the Committee to grant conditional validity.

3. We have also heard learned A.G.P. for respondents.

4. The Division Bench at Principal Seat under order dated August 21, 2019 in case of Vaishnavi in Writ Petition No.9226/2019 observed as under:

7. In the circumstances, in the light of the judgment in the case of law laid down in the cases of Apoorva Nichale, Anand vs. Committee and Raju Ramsing Vasave (supra), the petitioner is entitled to be granted caste validity certificate forthwith. However, the issuance of the certificate shall be subject to the outcome of the show cause notice which has been issued against the father Venkat Govindrao Govindwad of the Petitioner by the Committee as the caste validity certificate issued to the father Venkat Govindrao Govindwad of the petitioner is found to be based on interpolation / adverse entries.

5. In light of the above, we follow the same course and pass the following order:

ORDER

A. The Committee shall issue the validity certificate to the petitioner of "Mannervarlu", Scheduled Tribe immediately.

B. The said validity certificate shall be subject to the decision that would be taken by the Committee in the proceedings reopened of the validity holders relied by the petitioner.

6. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE