

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10814 OF 2021**

SHAILESH LAXMAN YEOTIWAD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Madhur A. Golegaonkar, Advocate for the
Petitioner.

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

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**CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : 15th NOVEMBER, 2021.

PER COURT:-

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

2. Amongst the other submissions, one of the submission made by the learned counsel for the petitioner is that, the real brother of the petitioner namely Shubham Laxman Yeotiwad had also applied for the validity certificate. The same was invalidated. Subham challenged the same by filing Writ Petition before this Court. This Court under judgment and order dated 20.11.2020 in Writ Petition (Stamp) No.21439/2020 allowed the writ petition and directed the validity to be issued to the real brother of the petitioner.

3. The learned A.G.P. accepts notice for respondent nos.1, 2 and 3 and submits that, this Court had directed issuance of the validity depending upon the judgment that would be delivered

in the proceedings reopened of the validity holders relied by the petitioner. There are many contra entries which were suppressed while validity was obtained by the father, uncle of the petitioner.

4. As this Court has already passed an order on 20.11.2020 in Writ Petition (Stamp) No.21439/2020 directing validity be issued to the real brother of the petitioner, we follow the same course and pass the similar order:

ORDER

- I. The impugned judgment and order is quashed and set aside.
- II. The Committee shall issue validity certificate to the petitioner of 'Mannervarlu' Scheduled Tribe immediately.
- III. The said validity certificate would be subject to the decision that would be taken by the Committee in the proceedings that may be reopened of the validity holders relied upon by the petitioner.
- IV. Writ Petition is accordingly disposed of.
No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE