

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

186 WRIT PETITION NO.10215 OF 2019

YOGESH SURESH DESHATWAD
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY
COMMITTEE AND ANOTHER

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Mr.Anand V. Indrale Patil, advocate for the petitioner.

Mr.S.B. Pulkundwar, AGP for the respondent/State.

Mr.S.V. Natu, advocate for respondent no.3.

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CORAM : S.V. GANGAPURWALA
AND
S.G. DIGE, JJ.

DATE : 20th DECEMBER, 2021

PER COURT :-

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

2. Mr.Indrale Patil, learned advocate for the petitioner submits that two real paternal uncles of the petitioner namely Vithal and Sanjay are issued with the validity certificates of Mannervarlu, Scheduled Tribe by the Committee. Two sons of real paternal uncle of the petitioner namely Shubham Sanjay and Shashank Sanjay are issued with the validity certificates under the orders of this Court. So also one Vaishnavi Venkat, who is daughter of another paternal uncle

of the petitioner is granted validity certificate under the orders of this Court.

3. The learned A.G.P. submits that, there are contra entries on record. The vigilance has found that in some of the record the word "Lu" has been added in the caste column of the documents, meaning thereby there is interpolation in the record. This was not brought to the notice of the Committee earlier when the validity was granted to Shubham and Shashank.

4. The relationship of the petitioner with Vithal and Sanjay is not disputed. Vithal and Sanjay are the real paternal uncles of the petitioner. They are issued with the validity certificates by the Committee. Shubham and Shashank are the sons of the paternal uncle of the petitioner namely Sanjay. They have been issued with the validity certificate under the orders of this Court in Writ Petition Nos.8534/2018 and Writ Petition No.13354/2021. It is further submitted that the daughter of another paternal uncle of the petitioner i.e. Vaishnavi d/o.Venkat is issued with the validity certificate under order of this Court. The show-cause notices are issued to the validity holders namely Vithal and Sanjay.

5. In view of the judgments delivered by

the Division Bench of this Court at Principal Seat and at this Bench in case of sons of real uncles of the petitioner, we follow the same course and pass the following order :-

ORDER

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

(ii) The said validity shall be subject to the decision that would be taken by the Committee in the proceedings that may be reopened of the validity holders relied by the petitioners.

(iii) Writ Petition is accordingly disposed of. No costs.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)

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