

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

WRIT PETITION NO.12179 OF 2021

GAJANAN SAMBHAJI ADMULWAD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

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

Mr. P. K. Lakhotiya, 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. Mr. Golegaonkar, learned counsel for the petitioner submits that, the father of the petitioner Sambhaji, real uncles of the petitioner namely Sayaji and Shivaji, so also real paternal cousin of the petitioner Santosh, the daughter of the real uncle of the petitioner namely Kaushalya and the real paternal aunt of the petitioner namely Smt. Muktabai are all issued with the validity certificates of the 'Mannervarlu', Scheduled Tribe. The paternal cousin of the petitioner i.e. Rushikesh son of the real uncle of the petitioner Shivaji had applied for issuance of the validity

certificate. The same was invalidated. He challenged the same before the Division Bench of this Court by filing Writ Petition No.8270/2020. This Court under order dated 16.12.2020 partly allowed the writ petition directing issuance of conditional validity.

3. The learned A.G.P. submits that, the claims of Ram son of Shivaji and real brother of the petitioner Rahul have also been invalidated by the Committee. They had filed Writ Petition before the Principal Seat at Bombay and the same is pending. The learned A.G.P. further submits that, considering the adverse entries, the Committee has passed the order.

4. The learned counsel for the petitioner submits that, Ram son of Shivaji and Rahul son of Sambhaji have already filed Writ Petition before the Principal Seat at Bombay and the Principal Seat at Bombay has granted stay in case of Ram.

5. The relationship of the petitioner with Rushikesh son of Shivaji is not disputed. He is son of the real uncle of the petitioner. This Court under order dated 16.12.2020 in Writ Petition No.8270/2020 had directed issuance of conditional validity in favour of Rushikesh.

6. In light of the above, we follow the same course and pass the order.

ORDER

- I. The Committee shall issue validity certificate to the petitioner of 'Mannervarlu', Scheduled Tribe immediately.
- II. The said validity certificate would be subject to the decision that would be taken by the Committee in the proceedings reopened of the validity holders relied by the petitioner.
- III. Writ Petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE