

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

142 WRIT PETITION NO.12671 OF 2021

SHUBHAM PUNDLIKRAO ALEWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Chandrakant R. Thorat.

AGP for Respondent/State: Mr. P. S. Patil.

Advocate for Respondent No.3: Mr. M. D. Narwadkar.

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

DATE : 29th November, 2021.

PER COURT:

. Among other submissions, one of the submission made by Mr. Thorat, learned counsel for petitioner is that the cousin uncle of the petitioner namely Madhavrao Ganesh Alewad and his daughter Mayuri Madhavrao Alewad had also applied for validity certificate of Mannervarlu Scheduled Tribe. Their claims were invalidated. They filed Writ Petition No.8804 of 2019 and Writ Petition No.8803 of 2019 respectively. This Court under orders dated 19th July, 2019, allowed the writ petitions directing to grant validity.

2 Mr. Patil, learned AGP submits that there are many contra entries on record. The petitioner has failed in the affinity test. All these

aspects have been considered by the Committee.

3 The learned AGP does not dispute that Madhavrao Ganesh Alewad and Mayuri Madhavrao Alewad are the paternal relatives of the petitioner. They have been directed to be issued with validity certificate of Mannervarlu Scheduled Tribe conditionally.

4 In the said orders, this Court had observed that about six persons were issued with the validity certificate in the family of the petitioner.

5 For the reasons recorded in the orders dated 19th July, 2019 in Writ Petition No.8804 of 2019 and Writ Petition No.8803 of 2019, we follow the same course and pass the following order:

ORDER

- I. The impugned order is quashed and set aside.
- II. The Committee shall issue validity certificate of 'Mannervarlu' Scheduled Tribe to the petitioner immediately.
- III. The said validity certificate shall be subject to the decision that would be taken by the Committee in

cases of the validity holders whose proceedings
are reopened and relied by the petitioner.

6 The Writ Petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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