

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

WRIT PETITION NO. 13434 OF 2021

Mayur Dattatray Nilawad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. Sunil M. Vibhute, Advocate for the Petitioner.

Mr. S. K. Tambe, AGP for Respondents/State.

AND

WRIT PETITION NO. 13460 OF 2021

Akash Dattatray Nilawad
and another .. Petitioners

Versus

The State of Maharashtra and another .. Respondents

Mr. Sunil M. Vibhute, Advocate for the Petitioners.

Mr. S. K. Tambe, AGP for Respondents/State.

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

DATED : 04th December, 2021.

PER COURT:-

. Amongst other submissions, one of the submission of learned counsel for the petitioners is that the real sister of the petitioners - Mayur and Akash namely Vaishnavi had also applied for validity certificate of the tribe claim. The same was invalidated. She filed Writ

Petition No. 8074 of 2020. This Court under judgment and order dated 09.12.2020 allowed the writ petition directing the committee to issue validity certificate to her.

2. The learned A.G.P. submits that there are contra entries on record. The petitioners have failed in the affinity test. The committee has considered the said aspect.

3. The relationship of the present petitioners with Vaishnavi is not disputed.

4. This Court under judgment and order dated 09.12.2020 in Writ Petition No. 8074 of 2020 with other connected matters filed by Vaishnavi and other paternal relatives directed the committee to issue conditional validity certificates.

5. In view of that, we follow the same course.

6. The committee shall issue validity certificates to the petitioners of “Mannervarlu” (Scheduled Tribe). The said validity certificates shall be subject to the decision that would be taken by the committee in the proceedings reopened of the validity holders relied by the petitioners.

7. Writ petitions are disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.