

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.13794 OF 2021**

GANGASAGAR SHIVAJI AMBATWAD

..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 &
S. G. DIGE, JJ.**

DATED : 13th DECEMBER, 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, tribe claim of the real sister of the petitioner namely Gayatri was invalidated. She filed Writ Petition bearing No.4892/2019. Under order dated 05th July, 2019 this Court allowed the Writ Petition directing the Committee to issue validity certificate to her of 'Mannervarlu', Scheduled Tribe. Similarly, the validity has been directed to be issued by this Court at the Principal Seat at Bombay in case of Govind son of real paternal uncle of the petitioner in Writ Petition bearing No.10515/2017 under order dated December 28, 2017.

3. There are other validities directed to be issued by this Court.

4. The learned A.G.P. submits that, there were suppression of the facts on the part of the petitioner. The show cause notices are issued to the validity holders relied by the petitioner.

5. Be that as it may, the fact that this Court in number of matters have directed the validity certificate to be issued to the paternal cousins of the petitioner viz. real sister of the petitioner under order dated 05th July 2019 in Writ Petition No.4892/2019, son of paternal uncle of the petitioner namely Avinash in Writ Petition No.8240/2020 under order dated 14th December 2020, so also at the Principal Seat at Bombay in case of son of the real paternal uncle of the petitioner namely Govind bearing Writ Petition No.10515/2019 under order dated September 28, 2017. We follow the same course and pass similar order.

6. The Committee shall issue the validity certificate to the petitioner of 'Mannervarlu', Scheduled Tribe immediately.

7. In case, the Committee is successful in getting the judgment in Writ Petition No.4892/2019, Writ Petition No.8204/2021 and Writ Petition No.10515/2017 reviewed, then the present judgment would be subject to the decision of the same.

8. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE