

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

931 WRIT PETITION NO. 445 OF 2022

**SAIVAMSHI SHIVRAM BOGULWAR
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...
Advocate for the petitioner : Mr.S.M.Vibhute
AGP for Respondent-State : Mr.S.K.Tambe
...

**CORAM : S.V.GANGAPURWALA &
S.G.DIGE, JJ.**

DATE : 11.01.2022

P.C. :

1] Caste claim of the petitioner as belonging to Mannervarlu Scheduled Tribe.

2] Mr.Vibhute, learned counsel for the petitioner submits that the father of the petitioner is issued with validity certificate by the Committee. The Real uncle of the petitioner, namely, Kashinath Vitthalrao Bogulwar is also issued with the validity certificate of Mannervarlu Scheduled Tribe by the Committee. The another uncle of the petitioner, namely, Ramesh Bogulwar is also issued with the validity certificate of Mannervarlu Scheduled Tribe. Learned counsel submits that the caste claim of Aarti daughter of real paternal uncle of the petitioner, namely,

Kashinath Bogulwar was invalidated. She filed Writ Petition bearing No.7486/2018 before the Principal Seat at Bombay. The Division Bench at Principal Seat at Bombay under judgment and order dated 23.07.2018 allowed the said Writ Petition and directed the Committee to issue validity certificate to Aarti. *Contra* entries considered by the Committee in the present case were subject matter of consideration in the case of Aarti. The vigilance report is also placed on record.

3] We have heard learned AGP.

4] The relationship of the petitioner with validity holders, namely, Shivram being father and Kashinath being real uncle, is not disputed. It is also not disputed that Aarti is daughter of the real uncle of the petitioner Kashinath. Her claim is invalidated. She filed Writ Petition bearing No.7486 of 2018 at Principal seat at Bombay. The Division Bench at the Principal Seat under judgment and order dated 23.07.2018 in Writ Petition No.7486 of 2018 directed the Committee to issue validity to the petitioner therein.

5] In the light of above, 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 certificate shall be subject to decision that would be taken by the Committee in the proceedings re-opened of the validity holders relied by the petitioner.

iii] Writ Petition is disposed of. No costs.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

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