

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1128 OF 2022**

SACHIN ASHOKRAO SANGAPWAD

..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.

Mr. J. R. Patil, Advocate for Respondent No.5.

...

CORAM : S. V. GANGAPURWALA &

S. G. DIGE, JJ.

DATED : 21st JANUARY, 2022.

PER COURT:-

1. The tribe claim of the petitioner as 'Mannervarlu', Scheduled Tribe is invalidated.

2. Amongst the other submissions, one of the submission of the learned counsel for petitioner is that, the real sister of the petitioner namely Vaishnavi D/o Ashok had also applied for issuance of validity certificate. The same was rejected. She filed Writ Petition bearing No.7466/2018 before the Principal Seat at Bombay. The Division Bench of this Court at Principal Seat at Bombay under judgment and order dated 23rd July, 2018 directed the Committee to issue validity certificate to her.

3. The learned counsel further submits that, tribe claim of the petitioner is invalidated by a common judgment dated 15.12.2021. One of the party thereto namely Vitthal Ganpatrao Sangapwad whose claim was also invalidated under the same common judgment had filed Writ Petition bearing No.663 of

2022. The Division Bench of this Court under order dated 18.01.2022 directed the Committee to issue validate certificate to him.

4. We have heard the learned A.G.P.

5. The relationship of the petitioner with Vaishnavi that of real brother and sister is not disputed, so also Vitthal whose claim was also invalidated under the same judgment by virtue of which the claim of the petitioner is invalidated had also filed Writ Petition bearing No.663 of 2022 and the Division Bench of this Court directed the Committee to issue validate certificate to him.

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

7. The Committee shall issue validity certificate to the petitioner of 'Mannervarlu', Scheduled Tribe. The validate certificate shall be subject to the decision that may be taken by the Committee in the proceedings reopened of the validity holders relied by the petitioner.

8. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE