

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

WRIT PETITION NO.1144 OF 2022

SWAPNIL DIGAMBARRAO PADALWAR

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

..RESPONDENTS

...

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

Mr. S. P. Tiwari, AGP for Respondents-State.

...

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

DATED : 28th JANUARY, 2022.

PER COURT:-

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

2. The learned counsel for the petitioner submits that, the real brother of the petitioner namely Sainath is issued with the validity certificate by the Committee. The tribe claim of Sneha D/o. Chandrakant and Vaishnavi D/o Ramakant were invalidated. The Sneha and Vaishnavi are the daughters of real uncle of the petitioner's father. They had filed Writ Petition bearing Nos.10378/2017 and 8917/2018 respectively. The Division Bench of this Court at Principal Seat at Bombay under order dated October 04, 2017 allowed Writ Petition No.10378/2017 filed by Sneha D/o Chandrakant and directed the Committee to issue validity

certificate. The Division Bench of this Court at Aurangabad under order dated 03rd August, 2018 allowed the Writ Petition No.8917/2018 filed by the Vaishnavi D/o Ramakant and directed the Committee to issue validity certificate to her.

3. The learned counsel further submits that, common vigilance was conducted in the case of present petitioner and Soujanya D/o Chandrakant. The Committee had also invalidated the tribe claim of Soujanya D/o Chandrakant. She filed Writ Petition bearing No.1258/2022 before this Court. This Court under order dated 25th January, 2022 directed the Committee to issue validity certificate to her.

4. The learned A.G.P. does not dispute the relationship of the petitioner with the validity holders and the petitioners in the above referred writ petitions.

5. For the reasons recorded under order dated October 04, 2017 in Writ Petition No.10378/2017 at Principal Seat at Bombay and order dated 25th January, 2022 in Writ Petition No.1258/2022 we follow the same course and pass the following order:

ORDER

A. The Committee shall issue validity certificate to the petitioner of 'Mannervarlu', Scheduled Tribe. The said validity 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. So also would be subject to the decision that would be taken by the Court at Principal Seat at Bombay in the review petition that would be filed by the Committee against the judgment and order dated October 04, 2017 in Writ Petition No.10378/2017.

6. In the light of the above, the writ petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE