

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 WRIT PETITION NO.1287 OF 2022
(WITH CIVIL APPLICATION STAMP NO.2786/2022)

ANUSHA BALAJIRAO GOVINDWAD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr.M.A. Golegaonkar, Advocate for the
petitioners.

Mr.A.S. Shinde, AGP for the respondent/State.

...
CORAM : S.V. GANGAPURWALA
AND
S.G. DIGE, JJ.

DATE : 27th JANUARY, 2022

PER COURT :-

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

2. Amongst other submissions, one of the submission of learned advocate for the petitioners is that the real sister of the petitioner Akanksha d/o Balajirao Govindwad had applied for validity certificate of Mannervarlu, Scheduled Tribe, her claim was invalidated. She filed writ petition bearing no.2084/2018. The Division Bench of this Court under order dated 3rd August, 2018 directed the Committee to issue validity certificate to her. The real paternal uncle of the petitioner namely Sayalu Govindrao

Govindwad, Sivaji Govindrao Govindwad and cousin brother Nilesh Gangaram Govindwad are issued with validity certificates by the Committee.

3. Mr.Shinde, learned A.G.P. and Mr.Lale, learned advocate for intervenor submit that the contra-entries were suppressed by the petitioner. The caste claim of Sayalu was also invalidated but suppressing the same he again filed fresh application and obtained validity in the year 2008. Other contra-entries are also on record.

4. The relationship of the petitioner with Akanksha Balajirao that of real sister is not disputed. This Court under judgment and order dated 3rd August, 2018 directed the Committee to issue validity certificate to her subject to decision of the proceedings that may be reopened of the validity holders relied upon by the petitioner.

5. In the light of the judgment in the case of real sister of the petitioner by the Division Bench of this Court, we follow the same course.

6. The Committee shall issue validity certificate to the petitioner of 'Mannervarlu', Scheduled Tribe. The same validity shall be subject to decision that may be taken by the

Committee in the proceedings that may be reopened of the validity holders relied by the petitioner.

7. Writ Petition is disposed of. No costs.

8. In view of disposal of the Writ Petition, Civil Application Stamp No.2786/2022 is disposed of.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)

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