IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

943 WRIT PETITION NO.1359 OF 2022

SUMIT SUBHASHRAO GOVINDWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Advocate for Petitioner: Mr. Chandrakant R. Thorat
AGP for Respondents: Mr. A. S. Shinde
...

CORAM:	**S. V. GANGAPURWALA & S. G. DIGE, JJ.**
DATE:	**28th JANUARY, 2022**

PER COURT:

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

2. The learned Counsel for the Petitioner submits that 10 Members of the Petitioner's family are issued with the Validity Certificate of Mannervarlu, Scheduled Tribe. The real sister of the Petitioner is issued with the Validity Certificate of Mannervarlu, Scheduled Tribe by the Committee. The learned Counsel submits that Pradeep son of real uncle of the Petitioner namely Namdev had also applied for the Validity

Certificate. His clam was invalidated. He filed Writ Petition No. 10376 of 2017 before the Principal Seat. The Division Bench at the Principal Seat vide Judgment and Order dated October 04, 2017 allowed the Writ Petition directing the Committee to issue Validity Certificate to him. Similarly, in case of another brother of the Petitioner Pramod son of real uncle of the Petitioner namely Namdev, the Division Bench of this Court in Writ Petition No. 2080 of 2020 under Judgment dated 12th March, 2021 directed the Committee to issue Validity Certificate to him.

3. The learned A.G.P. submits that there are contra entries on record in case of paternal relatives of the Petitioner and one paternal relative of the Petitioner namely Saylu S/o. Govindrao Govindwar had also applied for validity certificate. His claim was negatived in the year-1994. Mr. Thorat, the learned Counsel submits that the said Saylu S/o. Govindrao Govindwar is not related to the Petitioner.

4. Considering the Judgments of the Division Bench at Principal Seat and at this Bench in case of the sons of the real uncle of the Petitioner, we follow the same course.

5. For the reasons recorded in the Judgment and Order dated October 04, 2017 in Writ Petition No. 10376 of 2017 filed by the son of the real uncle of the Petitioner namely Pradeep, we allowed the present Writ Petition. The Committee shall issue Validity Certificate to the Petitioner of Mannervarlu, Scheduled Tribe. In case, the Judgments dated October 04, 2017 in Writ Petition No. 10376 of 2017 and the Judgment dated 12th March, 2021 in Writ Petition No. 2080 of 2020 are reviewed, the present Judgment would be subject to the same.

6. The Writ Petition accordingly stands disposed of. No costs.

[S. G. DIGE, J.] **[S. V. GANGAPURWALA, J.]**

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