

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.2315 OF 2022**

ANIKET SHRIRAM KALYANPAD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

Mr. Madhur A. Golegaonkar, Advocate for the
Petitioner.

Mr. P. N. Kutti, AGP for Respondents-State.

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

DATED : 18th FEBRUARY, 2022.

PER COURT:-

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

2. Amongst other submissions, one of the submission of the learned counsel for the petitioner is that, caste claim of the real sister of the petitioner was also invalidated. She filed Writ Petition bearing No.10490/2017 at the Principal Seat at Bombay. The Division Bench of this Court at Principal Seat at Bombay under order dated October 03, 2017 allowed the said writ petition and directed the Committee to issue validity certificate to her. Under the said judgment, the order of the Scrutiny Committee was set aside and clear validity was directed to be granted to her.

3. The learned counsel for the petitioner submits that, petitioner is the real brother of the said Mayuri.

4. The learned A.G.P. does not dispute the relationship of the present petitioner with Mayuri D/o. Shriram Kalyanpad to be a real brother and sister. The learned A.G.P. on instructions submits that, the Committee would be filing review of the order dated October 03, 2017 passed in Writ Petition filed by Mayuri bearing No.10490/2017. The learned A.G.P. further submits that, contra entries were suppressed and other evidence of the sale deed was also suppressed.

5. Considering the fact that, real sister of the petitioner has been issued with the validity certificate under the orders passed by the Division Bench of this Court at Principal Seat at Bombay on October 03, 2017 in Writ Petition No.10490/2017, we pass the following order:

ORDER

A. The Committee shall issue validity certificate to the petitioner of 'Mannervarlu', Scheduled Tribe.

B. In case, judgment dated October 03, 2017 passed by the Division Bench of this Court at Principal Seat at Bombay in Writ Petition No.10490/2017 is reviewed, the present judgment would be subject to the same.

6. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE