

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

926 WRIT PETITION NO. 932 OF 2022

PRATIKSHA GANPATRAO SANGAPWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondents : Mr. A.S. Shinde
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 07 SEPTEMBER 2023

PER COURT :

Heard both the sides finally.

2. The petitioner is challenging the order passed by the respondent no. 2 – Scrutiny Committee, confiscating and canceling her certificate of ‘Mannervarlu’ scheduled tribe.

3. In fact, the impugned order was a common order in respect of eight individuals including the petitioner.

4. In Writ Petition No. 663 of 2022, petitioner’s real brother Vitthal Ganpatrao Sangapwad, had challenged the same order and by the order dated 18 January 2022, this Court had allowed the Writ Petition, quashed and set aside the order to his extent and the certificate of validity was directed to be issued.

5. Again one Sachin Ashokrao Sangapwad, the petitioner’s cousin had also challenged that order in Writ Petition No. 1128 of

2022. By the order dated 21 January 2022, even his petition was allowed and he was directed to be issued with a certificate of validity.

6. Pertinently, both Vittal and Sachin were relying upon the order of this Court in the matter of Sachin's real sister Vaishnavi who was directed to be granted certificate of validity by the order of this Court in Writ Petition No. 7466 of 2018, dated 23 July 2018, at the Principal Seat.

7. Since the impugned order is a common order in respect of several individuals and this Court had already dealt with it in respect of Vitthal and Sachin, we being a Co-Ordinate Bench cannot embark upon and take any inconsistent view.

8. We allow Writ Petition partly. The impugned order is quashed and set aside even to the extent of the petitioner. The respondent no. 2 – Scrutiny Committee shall issue certificate of validity to her immediately in the prescribed format without incorporating anything. It shall be subject to the final outcome of the matters to be reopened by the Scrutiny Committee of the validity holders. The petitioner shall not be entitled to claim equities.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]