

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

9 WRIT PETITION NO.3287 OF 2021

BHANUDAS TULSHIRAM PARODWAD

... Petitioner

VERSUS

- 1) The State of Maharashtra, through its Secretary
- 2) The Scheduled Tribe Caste Certificate Verification Committee Kinwat at Aurangabad, through its Dy. Director (R)
- 3) The Superintending Engineer, Nanded Irrigation Circle, Nanded
- 4) The Executive Engineer, Upper Penganga Project, Division No. 1, Chaitanya Nagar, Nanded, District Nanded.

... Respondents

...

Advocate for Petitioner : Mr. Vibhute Sunil M.
AGP for Respondents Nos. 1 to 4 : Mr. S.K. Tambe

...

21 WRIT PETITION NO.8630 OF 2023

SUARNMALA BHANUDAS PARODWAD

... Petitioner

VERSUS

- 1) The State of Maharashtra, through its Secretary
- 2) The Scheduled Tribe Caste Certificate Verification Committee Kinwat at Aurangabad, through its Dy. Director (R)

... Respondents

...

Advocate for Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents/State : Mr. S.K. Tambe

...

22 WRIT PETITION NO.8709 OF 2023

PAVAN BABURAO PARODWAD

... Petitioner

VERSUS

- 1) The State of Maharashtra, through its Secretary
- 2) The Scheduled Tribe Caste Certificate Verification Committee Kinwat at Aurangabad, through its Dy. Director (R)

... Respondents

...
Advocate for Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents/State : Mr. A.A. Jagatkar

...
23 WRIT PETITION NO.8925 OF 2023

SWAPNIL BHANUDAS PARODWAD
VERSUS

- 1) The State of Maharashtra, through its Secretary
- 2) The Scheduled Tribe Caste Certificate Verification Committee
Kinwat at Aurangabad, through its Dy. Director (R)

...
Advocate for Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents/State : Mr. A. A. Jagatkar

...
41 WRIT PETITION NO.9730 OF 2023

PRAVIN BABURAO PARODWAD
VERSUS

- 1) The State of Maharashtra, through its Secretary
- 2) The Scheduled Tribe Caste Certificate Verification Committee
Kinwat at Aurangabad, through its Dy. Director (R)

...
Advocate for Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents/State : Mr. S.G. Sangale

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

DATE : **07.08.2023**

PER COURT :

Heard both the sides.

2. The petitioners in all these petitions are challenging the order passed by the respondent No. 2-scrutiny committee invalidating their claim as belonging to '*Mannervarlu*' scheduled tribe.

3. In fact, by a common order dated 08.04.2022, the committee has invalidated the proposals of the petitioners Pravin Baburao, Swapnil Bhanudas, Suwarnamala Bhanudas, Santosh Baburao and Pawan Baburao. In Writ Petition No. 6496/2022 by the order dated 08.07.2023, the self-same

order to the extent of Santosh Balaji has been quashed and set aside and he was directed to be issued with a validity certificate. Since it was a common judgment and order of the scrutiny committee we are bound by the decision in the matter of Santosh Balaji. This Court once again cannot sit over the same order much less can arrive at some independent conclusion, more so when there is no dispute about the genealogy at least to the extent of these petitioners and Santosh Balaji. Even these petitioners Pravin Baburao, Swapnil Bhanudas, Suwarnamala Bhanudas and Pawan Baburao would derive the benefit of order dated 18.07.2023.

4. Incidentally, by another common judgment and order in the matter of one Sumit Bhanudas, Shital Bhanudas who are admittedly the real brother and sister of petitioners Swapnil Bhanudas and Swarnamala Bhanudas, Bhanudas Tulshiram their father, Shivani Balaji, Shubham Balaji, and Sahebrao Rajaram, the committee had invalidated their similar tribe claim. The order was quashed and set aside by this Court to the extent of Sumit Bhanudas and Shital Bhanudas in Writ Petition No. 1758/2021 by the order dated 29.01.2021. To the extent of Shivani Balaji the same order was quashed and set aside by another order dated 30.01.2021.

5. In the light of above, we are bound by all the previous orders.

6. All the five writ petitions are allowed partly. The impugned orders are quashed and set aside. The petitioners shall be issued with validity certificates of '*Mannervarlu*' scheduled tribe immediately, which validities shall be subject to the final outcome of the matters which the committee has intended to reopen.

7. The petitioners shall not be entitled to claim equities.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-