

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

WRIT PETITION NO.3948 OF 2021

1. Aishwarya s/o Ramrao Lakhmod
Age: 22 years, Occu: Student,
R/o. Praphulla Nagar, Mudkhed Road, Bhokar
Tq. Bhokar, Dist. Nanded ... Petitioner

Versus

1. The State of Maharashtra
Through Principal Secretary
Higher and Technical Department
Mantralaya, Mumbai - 32
2. Scheduled Tribe Certificate
Verification Committee
Near Saint Lawrence High School,
Town Centre, CIDCO, Aurangabad
Dist. Aurangabad
Through its Deputy Director (Research)
and Member Secretary
3. Yashwantrao Chavan Maharashtra
Open University
Dnyangangotri Near Gangapur Dam,
Nashik, Pin Code - 422222
Through its Register
4. Krishi Vignyan Kendra
Sagroli, Tq. Biloli, Dist. Nanded
Through its Principal ... Respondents

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WRIT PETITION NO.12078 OF 2021

1. Vijayalaxmi d/o Madhav Lakhmod
Age: 22 years, Occu: Student
R/o Bothi, Tq. Umri,
Dist. Nanded

Versus

1. The State of Maharashtra
Through Principal Secretary,
Tribal Development Department,
Mantralaya, Mumbai – 32

2. Scheduled Tribe Certificate
Verification Committee
Near Saint Lawrence High School,
Town Centre, CIDCO, Aurangabad
Dist. Aurangabad
Through its Deputy Director (Research)
and Member Secretary

... Respondents

...

Mr. Om D. Totawad h/d Mr. C. R. Thorat, Advocate for the Petitioner/s

Mr. S. G. Sangle, AGP for the Respondents/State

Mrs. Ratna R. Mane, Advocate for Respondent No.3 in WP No.3948/2021

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**CORAM : MANGESH S. PATIL &
NEERAJ P. DHOTE, JJ.**

DATE : 09.11.2023

PER COURT :

. Heard both the sides.

2. The writ petition no.12078/2021 is not on Board. Upon mentioning,
it is taken on Board.

3. The petitioners, from these petitions, are challenging the common
order passed by the Scrutiny Committee confiscating and cancelling

their 'Mannervarlu' Scheduled Tribe certificates, in a proceeding under Section 7 of the Maharashtra Act No.XXIII of 2001.

4. As can be seen, the impugned order was a common order in respect of these two petitioners and two others, namely, Tejas Madhav Lakmod and Avinash Ramrao Lakhmod. They had filed petitions i.e. writ petition no.7783/2020 and writ petition no.7776/2020. By the order dated 09/12/2020, this Court allowed both those petitions for the reasons recorded therein and directed the Scrutiny Committee to issue certificates of validity to them, which were made subject to the final outcome of the cases of validity holders, which it had decided to re-open.
5. Since it was a common order and already has been quashed and set aside *qua* Tejas and Avinash, this bench is bound by the decision.
6. These writ petitions are allowed partly. The impugned order is quashed and set aside even to the extent of the present petitioners. The Committee shall issue them certificates of validity of 'Mannervarlu' Scheduled Tribe immediately. The validity shall be subject to the final outcome of the matters which the Committee has decided to re-open.
7. The petitioners shall not be entitled to claim equities.

[NEERAJ P. DHOTE, J.]

[MANGESH S. PATIL, J.]