

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

138 WRIT PETITION NO.3054 OF 2022

**MAYUR RAMESH MUPADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Golegaonkar Madhur A.
AGP for Respondent Nos. 1 to 3 : Mr. S.K. Tambe

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

DATE : 10.07.2023

PER COURT :

The petitioner is before us aggrieved by the order passed by the respondent No. 2- scrutiny committee refuting his claim as belonging to 'Mannervarlu' scheduled tribe.

2. We have heard both the sides. However, it would suffice to note that the petitioner's real brother Nikhil was also similarly aggrieved by the order of the scrutiny committee and had approached this Court in Writ Petition No. 1036/2018. By the order dated 18.07.2019, for the reasons mentioned in that order he was held entitled to receive a validity certificate. The committee was directed to issue it subject to the decision to be taken in the matters of validity holders which the committee had intended to reopen, which were being relied upon by Nikhil.

3. We are informed that though the Nikhil's matter was decided almost four years ago, no steps are being taken to issue any show cause notices to the validity holders pursuant to the observations of this Court.

4. On the one hand the scrutiny committee has rejected the petitioner's

request for issuance of validity certificate and on the other hand, it is not even keen to put the things at rest by expeditiously undertaking the process in respect of the validity holders relied upon by the petitioner's brother Nikhil to revoke the validity certificates. In the circumstances, we are left with no option but to allow the petitioner also to derive the benefits of social status may be with a rider as was put in the matter of his brother Nikhil.

5. We allow the Writ Petition partly.

6. The impugned order is quashed and set aside. The respondent-scrutiny committee shall now issue validity certificate to the petitioner within two weeks, which validity certificate shall be subject to the decision to be taken by the scrutiny committee in the matters of the validity holders which it intends to reopen.

7. The petitioner shall not be entitled to claim equities. However, the petitioner and all these validity holders being relied upon by him shall cooperate the scrutiny committee in early decision of the matters to be reopened.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-