

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

WRIT PETITION NO. 9070 OF 2023

Rupali Dashrath Siddamwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.

Shri S. K. Tambe, A.G.P. for the Respondent Nos. 1 to 3.

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

DATE : 27 JULY 2023.

FINAL ORDER :

. Heard the learned advocate for the petitioner as also the learned Assistant Government Pleader.

2. The petitioner is challenging order dated 15 December 2021 passed by the respondent No. 2/Scrutiny Committee in a proceeding under Section 7 of the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 and seizing and cancelling her caste certificate.

3. After hearing both sides, it transpires that the impugned

order was in fact a common order in the matter of present petitioner and her cousin Gajanan Shivaji Sidhamwad. In Writ Petition No. 593 of 2022, Gajanan Shivaji Sidhamwad had put up a challenge to the same order. By order dated 18 January 2022, this Court quashed and set aside impugned order to his extent and directed validity certificate to be issued to him. It was made subject to the decision to be taken by the Committee in the proceedings to be reopened of the validity holders. In the process, this Court had also held that one Nitin Shivaji Siddamwad, who is real brother of Gajanan Shivaji Siddamwad was also granted validity certificate pursuant to the order dated 28 September 2017 of this Court in Writ Petition No. 10373 of 2017.

4. In the light of the above, we allow the writ petition, quash and set aside the impugned order even to the extent of the present petitioner. The respondent No. 2/Scrutiny Committee shall issue validity certificate to the petitioner as belonging to 'Mannervarlu' (Scheduled Tribe) immediately. Such validity certificate shall be subject to the final outcome of the matters being reopened by the Committee of the validity holders. The petitioner shall not be entitled to claim any equity. The writ petition is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]