

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

WRIT PETITION NO. 7642 OF 2022

Shivam Suresh Dugmod

...Petitioner

VERSUS

1. The State of Maharashtra
Through its Secretary,
Medical Education and Drugs Department, Mumbai.
2. The Scheduled Tribe Caste Certificate
Verification Committee, Kinwat,
Through its Dy. Director (R),
Aurangabad.
3. The Commissioner and Competent Authority,
Commissionerate of Common Entrance Test Cell,
Government of Maharashtra,
8th Floor, New Excelsior Building,
A.K. Naik Marg, Fort, Mumbai.

...Respondents

...

Advocate for Petitioner : Mr. Sunil M. Vibhute
AGP for Respondent No.1 and 2/State : Mr. S.G. Sangale

...

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

DATE : 19 AUGUST 2023

PER COURT :

1. Heard the learned Advocate for the petitioner and learned AGP finally at the admission stage.

2. The petitioner is challenging the invalidation by the Scrutiny Committee, of his claim as belonging to Mannervarlu scheduled tribe.

3. Without going into the other details suffice for the purpose to observe that in the matter of Shruti d/o Suresh Dugmod in Writ Petition No.9057/2019, who is the real sister of the petitioner, this Court had directed certificate of validity to be issued to her, by the order dated 20.08.2019 for the reasons recorded therein. Following that decision, in the matter of Shivani Suresh Dugmod, another sister of the petitioner, in Writ Petition No. 8735/2019, this Court granted validity even to her based on the validity certificate of Shruti Suresh Dugmod.

4. Since the petitioner is admittedly the real brother of these two girls, we would follow the same course.

5. The writ petition is allowed partly. The impugned order dated 04.05.2022 passed by the respondent no.2/Scrutiny Committee is quashed and set aside. The Committee shall immediately issue tribe validity certificate to the petitioner as belonging to 'Mannervarlu' scheduled tribe, which shall be subject to the decision to be taken by the Committee in the reopened matter. The petitioner shall not be entitled to claim equities. The writ petition is disposed of.

6. The petitioner and his relatives shall cooperate with the Scrutiny Committee in early decision of the reopened matters.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]