

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

WRIT PETITION NO.9503 OF 2019

Manoj s/o Manik Bodhgire ... **PETITIONER**

VERSUS

1. The State of Maharashtra
through Secretary
Tribal Development Department,
Mantralaya, Mumbai.
2. The Scheduled Tribe Certificate
Scrutiny Committee
Aurangabad Divisional
Plot No.10, Sector E-1, Near
Saint Lawrence High School,
Opp. CIDCO Bus Stand, Aurangabad
3. The Sub Divisional Officer
Office of SDO, Kandhar
District Nanded
4. The Collector
Collectorate Nanded

... **RESPONDENTS**

...

Advocate for Petitioner : Mr. M.A. Golegaonkar
AGP for Respondent/State : Mr. S.G. Sangale

...

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

DATE : 29.08.2023

PER COURT :

We have heard both the sides finally. The petitioner is challenging the order of invalidation passed by the respondent - Scrutiny Committee on 13.07.2019.

2. It transpires that it was a common order of the Committee in the matter of three individuals, the present petitioner, one Mayuri Manikrao

Bodhgire that is his real sister and one Manik Kashiram Bodhgire, their father in Writ Petition No.9058/2019 by the order dated 22.08.2019. Mayuri's challenge to the selfsame order was sustained before this Court which directed a certificate of validity to be issued to her which was made subject to the decision to be taken by the Committee in respect of the matters which it had intended to reopen concerning the cousin paternal uncles Rajiv Bhujanga Bodhgire and Kailash Shivajirao Bodhgire.

3. Since this is a petition challenging the selfsame order, the propriety demands that we follow the same course for the reasons recorded in that order.

4. The writ petition is partly allowed. The impugned order is quashed and set aside even to the extent of the petitioner Manoj. The Committee shall immediately issue a certificate of validity to the petitioner of 'Mannervarlu' scheduled tribe which shall be subject to the final out come of the matter which the Committee has reopened.

5. The petitioner shall not be entitled to claim any equities

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)