

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

WRIT PETITION NO. 9947 OF 2023

Rani Ashok Dandewad,
Age 26 years, Occ. Student,
R/o. A/p Nandkheda, Tq. &
Dist. Parbhani.

... **Petitioners**

VERSUS

- 1) The State of Maharashtra
- 2) The Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad
Division, Aurangabad,
through its Member Secretary.

- 3) Sub-Divisional Officer, Parbhani
- ... **Respondents**

...
Advocate for the Petitioner : Mr. A.S. Golegaonkar h/f Mr. M.A. Golegaonkar
A.G.P. for the Respondents/State : Mr. A.S. Shinde

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

DATE : **09.08.2023**

PER COURT :

Since the petitioner is seeking to take admission through NEET (PG) 2023, we have taken up the matter for final disposal at admission stage.

2. We have heard both the sides.

3. The petitioner's tribe certificate as belonging to 'Mannervarlu' scheduled tribe has been confiscated and cancelled by the committee by the impugned order.

4. We have carefully considered the rival submissions and perused the

papers. As can be seen from the impugned order barring couple of entries in the school record, several blood relations/the family members have been treated as 'Mannervarlu' and their school record and other record specifically mentions this. In case of few individuals the committee has treated entry reading ^{Kolam} Mannervarlu as a contrary entry, this Court in the matter of **Abhishek Kashinath Dandewad Vs. State of Maharashtra and others; (in Writ Petition No. 21475/2020 decided on 20.11.2020)** has specifically observed that since 'Kolam' and 'Mannervarlu' both appear in the same entry at Sr. No. 27 of the Presidential Order, those cannot be treated as adverse entries.

5. Besides, there are as many as 10 validities in the family, some of which have been granted by this Court albeit conditionally. We follow the same course.

6. The Writ Petition is partly allowed. The impugned order is quashed and set aside. The respondent-committee shall immediately issue tribe validity certificate to the petitioner as belonging to 'Mannervarlu' scheduled tribe in the prescribed format without adding anything. The validity shall be subject to the final outcome of the matters which the committee has decided to re-open.

7) The petitioner shall not be entitled to claim equities.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-