

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

WRIT PETITION NO. 10051 OF 2023

Aparna Motiram Adamwad .. Petitioner

Versus

The Deputy Director (Research)
and Member Secretary and another .. Respondents

Shri O. D. Totawad, Advocate h/f Shri Chandrakant R. Thorat,
Advocate for the Petitioner.

Shri A. S. Shinde, A.G.P. for the Respondent Nos. 1 and 2.

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

DATE : 19 AUGUST 2023.

FINAL ORDER :

. Heard. The petitioner is challenging the order passed by the Competent Authority as well as the Scrutiny Committee in the appeal, whereby the request for having Scheduled Tribe certificate of 'Mannervarlu' has been turned down.

2. We have heard both the sides for a while.

3. The petitioner has produced the genealogy indicating that one Pallavi Madhav Adamwad is her distant relative from the paternal side and had produced the scheduled tribe certificate possessed by Pallavi Adamwad. Pertinently, there is no whisper in either of the orders, either doubting the genealogy or for not extending the benefit of the documents in the name of Pallavi

Madhav to the petitioner.

4. It is to be noted that the petitioner was merely seeking a tribe certificate. Obviously, its validity would depend upon the further course to be followed, whereby the Scrutiny Committee has to validate it. It is at that juncture a threadbare scrutiny of the claim can be undertaken even by resorting to vigilance enquiry. The approach of the committee to resort to such strict enquiry even when the only request is for issuance of tribe certificate is objectionable. Merely because it entertains a doubt about fraudulent claims being made that does not empower the authority or the committee to discard the certificate already issued to Pallavi Madhav Adamwad.

5. Be that as it may, in our considered view, if the petitioner's blood relative from the paternal side Pallavi Madhav Adamwad is possessed with the tribe certificate, even the petitioner is entitled to have it.

6. The writ petition is allowed. The impugned orders are quashed and set aside. The respondent/competent authority is directed to issue tribe certificate to the petitioner immediately in Form No. - C. The writ petition is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

bsb/Aug. 23