

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

WRIT PETITION NO. 10201 OF 2023

1. Krishna Ishwar Parodwad,
Age:- 20 years, Occu:- Student
R/o Jangamwadi, Tq. Kandhar,
Dist. Nanded.
2. Rajeshwar Ishwar Parodwad,
Age:- 25 years, Occu:- Student
R/o Jangamwadi, Tq. Kandhar,
Dist. Nanded.
3. Ishwar Kashiram Parodwad,
Age:- 52 years, Occu:- Service
R/o Jangamwadi, Tq. Kandhar,
Dist. Nanded.
4. Madhav Pandit Parodwad,
Age:- 26 years, Occu:- Student
R/o Jangamwadi, Tq. Kandhar,
Dist. Nanded.
5. Akash Pandit Parodwad,
Age:- 28 years, Occu:- Student
R/o Jangamwadi, Tq. Kandhar,
Dist. Nanded.
6. Manjusha Pandit Parodwad,
Age:- 34 years, Occu:- Service
R/o Jangamwadi, Tq. Kandhar,
Dist. Nanded.
7. Pandit Kashiram Parodwad,
Age:- 56 years, Occu:- Service
R/o Jangamwadi, Tq. Kandhar,
Dist. Nanded.

.. Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary,
Tribal Department,
Mantralaya, Mumbai – 32.
 2. The Scheduled Tribe Certificate
Scrutiny Committee, Kinvat,
Head Quarter, Aurangabad
Through its Deputy Director (R).
 3. The Chief Executive Officer,
Zilla Parishad, Beed,
Tq. & Dist. Beed.
 4. The Collector, Sangli,
Tq. & Dist. Sangli.
 5. The Divisional Deputy Director,
Technical Education, Regional Officer,
(Tantra Shikshan Vibhagiya Karalay)
Aurangabad, Tq. & Dist. Aurangabad.
 6. The Chief Officer,
Nagpur Housing and Area Development
Department, Nagpur, Tq. &
Dist. Nagpur.
- .. Respondents

Shri Pratap V. Jadhavar, Advocate for the Petitioners.
Shri S. G. Sangle, A.G.P. for the Respondent Nos. 1, 2, 4 and 5.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 19 AUGUST 2023.**

FINAL ORDER :

. Heard both sides.

2. It is a common petition of seven individuals, who are

related by blood from paternal side, whose claims as belonging to 'Mannervarlu' (Scheduled Tribe) have been turned down by the respondent No. 2/Scrutiny Committee vide the impugned common judgment and order dated 28.07.2023.

3. Considering the urgency the matter is taken up for final adjudication.

4. Apparently there is no dispute about the genealogy. One Mahadu was common ancestor having Sambhaji and Rajlingu as his sons. Sambhaji is survived by three sons and one daughter namely Rajaram, Bhumanna, Kondiba and Sakhubai. Rajlingu is survived by two sons namely Mahadu and Rama. The petitioners belong to the branch of Kondiba Sambhaji Parodwad. Apart from their blood relations *intere-se*, even to the extent of their own branch there are three validity holders namely Sambhaji Kashiram Parodwad, Shankar Kashiram Parodwad and Onkar Sambhaji Parodwad. From the branch of Bhumanna Sambhaji and Rajaram Sambhaji also there are four validity holders namely Meera Govind Parodwad, Sangita Govind Parodwad, Sunita Kishan Parodwad and Rajaram Kishan Parodwad. Even there are validity holders from the branch of Rajlingu Mahadu Parodwad and many others. Many of them have been granted certificates of validity by the orders of this Court. In our considered view, apart from anything else and other material, the aforementioned fact itself is sufficient to recognize the petitioners as belonging to 'Mannervarlu' (Scheduled Tribe).

5. The learned advocate for the petitioners on instructions submits that the Courts have been granting validities to the blood relatives subject to the final outcome of the decision to be taken by the Committee in the matters it had intended to reopen and the same course may be followed. The petitioners are ready to run the risk of suffering consequences as contemplated in the matter of Sweta Balaji Ispankar.

6. In the light of the above, we pass following order.

ORDER

- i) The writ petition is partly allowed.
- ii) The impugned order is quashed and set aside.
- iii) The respondent No. 2/Scrutiny Committee shall immediately issue certificates of validity to the petitioners as belonging to 'Mannervarlu' (Scheduled Tribe), which shall be subject to final outcome of the matters which the Committee has intended to re-open.
- iv) The certificates of validity shall be issued in prescribed format without adding anything.
- v) The learned A. G. P. and the law officer who is present in the court shall communicate this order to the Scrutiny Committee immediately.

- vi) The petitioners shall not be entitled to claim equities.
- vii) The petitioners and their relatives shall co-operate for the early disposal of the reopened matters.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

bsb/Aug. 23