

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

WRIT PETITION NO.10720 OF 2019

Aresh Ashok Singanwad ... **PETITIONER**

VERSUS

1. The State of Maharashtra
through Principal Secretary,
Tribal Department
Mantralaya Mumbai - 32
2. Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad
Plot No.10, E-9, Opposite
CIDCO Bus stand, Town Center,
Aurangabad Dist. Aurangabad
through its Member Secretary
3. Janta High School, Naigaon
Tq. Naigaon Dist. Nanded
through its Principal

... **RESPONDENTS**

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Advocate for Petitioner : Mr. Sagar S. Phatale
AGP for Respondent/State : Mr. P.S. Patil
Advocate for Respondent No.2 : Mr. G.J. Kore

...

AND

WRIT PETITION NO.10466 OF 2019

Dharmaji Maroti Singanwad ... **PETITIONER**

VERSUS

1. The State of Maharashtra
through Principal Secretary,
Tribal Department
Mantralaya Mumbai - 32
2. Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad
Plot No.10, E-9, Opposite
CIDCO Bus stand, Town Center,
Aurangabad Dist. Aurangabad
through its Member Secretary
3. Maharashtra State Road Transport
Corporation, Parbhani
through its Divisional Controller

... **RESPONDENTS**

...

Advocate for Petitioner : Mr. Sagar S. Phatale
 AGP for Respondent/State : Mr. P.S. Patil
 Advocate for Respondent No.3 : Mr. A.B. Dhongade

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

DATE : 28.07.2023

PER COURT :

A common order passed in the matter of present petitioners and one Sanket Bharat Singanwad was put to challenge by Sanket in Writ Petition No.8831/2011. By the order dated 31.07.2019 after considering all the aspects this Court had allowed the writ petition and had directed the Committee to issue validity certificate to Sanket and its validity was made subject to the decision to be taken in the matters of validity holders which were to be reopened.

2. Since these petitioners are putting up a challenge to the selfsame common order of the Scrutiny Committee, we being a subsequent coordinate bench cannot once again sit over and examine legality of the selfsame order which has already suffered our order in the matter of Sanket.

3. Both the writ petitions are partly allowed. The impugned order is quashed and set aside even to the extent of the present petitioners. The Committee shall issue validity certificates to them of "Mannervarlu" tribe immediately. Their validity shall be subject to the outcome of the matters to be reopened by the Committee of the validity holders. The petitioners shall not be entitled to claim equities.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)