

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

1004 WRIT PETITION NO. 13586 OF 2021

KANHAIYA PRAKASH SINGANWAD

VERSUS

SCHEDULED TRIBE CERTIFICATE
SCRUTINY COMMITTEE AURANGABAD

...

Advocate for Petitioner : Mr. Phatale Sagar S.
AGP for Respondent : Mr. A.A. Jagatkar

...

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

DATE : 21 JULY 2023

PER COURT :

Heard both the sides.

2. The petitioner is challenging the order passed by the respondent – Scrutiny Committee in a proceeding under Section 7 of The Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes, (Vimukta Jatis) Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of issuance and verification of) Caste Certificate Act, 2000, [the Maharashtra Act No. XXIII of 2003 and rules 2001], whereby, refusing to grant him tribe validity certificate of 'Mannervarlu' scheduled tribe.

3. Since there was no dispute about the relationship *inter se* between the present petitioner and three other persons namely

Kum. Ashwini Ashok Singanwad, Deepak Jairam Singanwad and Venkatesh Jairam Singanwad, by a common judgment in the matter of petitioner and the three individuals their claims were dismissed.

4. The other three individuals had challenged the self same order in Writ Petition 12603 of 2021.

5. By the order dated 18 November 2021, this Court has allowed the petition and directed a tribe certificate of 'Mannervarlu' to be issued to these three individuals. However, making them subject to the proceedings that were to be reopened in respect of the validity holders. Incidentally, it was also noticed by this Court that in Writ Petition no. 2075 of 2018, the real brother and sister of Venkatesh Jairam Singanwad, were granted conditional validity by the order dated 03 August, 2018.

6. In the light of the above, the petitioner is also entitled to a validity may be subject to usual conditions :

- i. The Writ Petition is partly allowed.
- ii. The impugned order is quashed and set aside even to the extent of the present petitioner.
- iii. The committee shall now issue validity certificate to the petitioner of 'Mannervarlu' scheduled tribe immediately.

iv. It shall be subject to the final outcome of the matters of the validity holders being reopened by the Committee.

v. The petitioner shall not be entitled to any equity.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

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