

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 WRIT PETITION NO.14589 OF 2023

Pravin s/o Gangadhar Alladwad,
Age 35 years, Occ. Service,
R/o. Bapshetwadi, Post. Barhali,
Tq. Mukhed, Dist. Nanded.

... Petitioners

VERSUS

- 1) The State of Maharashtra
Through its Secretary,
Tribal Development Department,
Mantralaya Mumbai-32.
- 2) The Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad
Division, Aurangabad, through
its Member Secretary.
- 3) The Sub Divisional officer,
Degloor, District Nanded.

... Respondents

...

Advocate for Petitioner : Mr. Golegaonkar Madhur A.
AGP for Respondents/State : Mr. M.M. Nerlikar

CORAM : **MANGESH S. PATIL &
NEERAJ P. DHOTE, JJ.**

DATE : **29.11.2023**

PER COURT :

Heard both the sides.

2. The petitioner is challenging the order of the scrutiny committee invalidating his tribe claim of belonging to 'Mannervarlu' scheduled tribe.
3. It transpires that in fact the impugned order was a common order in

respect of the claims of the petitioner and five others. Each of them had challenged the self-same order by preferring a separate writ petition. By a common order dated 04.08.2023 in Writ Petition No. 6587/2022 and connected matters, the impugned order has been quashed and set aside to the extent of those petitioners and they were directed to be issued with a certificate of validity albeit conditionally.

4. Since a coordinate bench has already considered the sustainability of the impugned order, for the self-same reasons as mentioned in the order in Writ Petition No. 6587/2022 and connected matters, even this petition is partly allowed. The impugned order is quashed and set aside even to the extent of the petitioner. The respondent-scrutiny committee shall issue certificate of validity to the petitioner of 'Mannervarlu' scheduled tribe immediately.

5. Its validity shall be subject to the final outcome of the matters which the committee has decided to reopen. The petitioner shall not be entitled to claim equities.

(NEERAJ P. DHOTE, J.)

(MANGESH S. PATIL, J.)

mkd/-