

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

WRIT PETITION NO. 12844 OF 2019

Megha Gangayya Satlawar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Chandrakant R. Thorat, Advocate for the Petitioner.
Shri P. S. Patil, Addl.G.P. for the Respondent Nos. 1 and 2.
Shri S. K. Kadam, Advocate for the Respondent No. 3.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 31 JULY 2023.**

FINAL ORDER :

. Heard both sides.

2. The matter is taken up for final disposal in view of exigency. The petitioner's degree has been withheld.

3. By the impugned order the respondent No. 2/Scrutiny Committee has invalidated petitioner's tribe claim as belonging to 'Mannervarlu' (Scheduled Tribe).

4. The learned advocate for the petitioner would submit that the petitioner's father has been granted validity which is still intact. Her real sister Priya has been granted validity. Even her cousin Pranay Sudhakar Satlawar has been granted validity

based on the validity of her father. Even Priya's sister Shreya has been granted validity. The petitioner's paternal uncle Raju Ramlu Satlawar is also validity holder and irrespective of anything else the petitioner is entitled atleast a conditional validity.

5. The learned Additional Government Pleader would submit that all these validities have been obtained by resorting to misrepresentation and even fraud in as much as the petitioner's cousin Narendra Chimayya Satlawar was before the Committee and his similar claim was rejected on 21 September 2006. This fact was not disclosed by the petitioner while filling the Form – F and the fact was admitted by her during the course of hearing before the Committee.

6. It does appear that, the Committee is now coming with a specific stand bordering fraud in as much as according to it the invalidation of Narendra Chimayya Satlawar was not disclosed. At the moment we do not have anything to demonstrate that he falls in the family blood line. In the matter of Pranay in the genealogy his name does not appear anywhere. Even the Committee seems to have abruptly asked Priya and the observations have been made to the effect that she admitted the relation and invalidation.

7. Be that as it may, when same invalidity was the ground being resorted to by the Committee as in the impugned order

even while invalidating claim of Shreya Sudhakar Satlawar and in Writ Petition No. 14500 of 2021, this Court had directed her to be issued with validity certificate and when even Pranay has been granted validity by the order of this Court, even the petitioner deserves the same treatment.

8. The writ petition is partly allowed. The impugned order is quashed and set aside. The respondent No. 2/Scrutiny Committee shall issue tribe validity certificate to the petitioner immediately as belonging to 'Mannervarlu' (Scheduled Tribe). It shall be subject to the decision to be taken by the Committee in the matters which it intends to reopen. The petitioner shall not be entitled to claim equity.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/July 23