

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

WRIT PETITION NO.13183 OF 2023

1. Krishna Chandrao Sudewad
Age : 26 years, Occu : Student,
R/o. At Post Mangrul, Tq. Himayatnagar,
Dist. Nanded
2. Ashwinkumar Chandrao Sudewad
Age : 30 years, Occu : Student,
R/o. At Post Mangrul, Tq. Himayatnagar,
Dist. Nanded
3. Rohan Ram Sudewad,
Age : 20 years, Occu : Student,
R/o. At Post Mangrul Tq. Himayatnagar,
Dist. Nanded .. Petitioners

Versus

1. The State of Maharashtra
Through Its Principal Secretary
Tribal Development Department,
Mantralaya, Mumbai
2. Deputy Director (Research) and Member Secretary,
Scheduled Tribe Certificate Verification Committee,
Kinwat, Headquarter Aurangabad.
Near Saint Lawrence High School, Town Centre,
CIDCO, Aurangabad, Dist. Aurangabad. ... Respondents

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Advocate for Petitioners : Mr. O. D. Totawad h/f.
Mr. Chandrakant R. Thorat
AGP for Respondent / State : Mr. V. M. Jaware

...

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

DATED : NOVEMBER 30, 2023

PER COURT :

1. Heard both the sides.

2. The petitioners are challenging the common order passed in

their matters as also the matters of two other blood relatives namely Varsha Shriram Sudewad and Swati Dattatray Sudewad. Varsha and Swati had filed Writ Petition Nos.13225 of 2023 and 13230 of 2023, respectively for tribe validity certificates and both petitions have been decided by this Court by a common order dated 25.10.2023.

3. Since the impugned order is a common order and this Court had already an occasion to consider its merits in the matter of Swati and Varsha, this Court cannot independently undertake a fresh scrutiny of the selfsame order.

4. For the reasons recorded in the matter of Varsha and Swati, the present petition deserves to be partly allowed. Hence, we proceed to pass the following order:

ORDER

- i) The Writ Petition is partly allowed. The impugned order is quashed and set aside. The respondent – committee shall immediately issue tribe validity certificates to the petitioners as belonging to ‘Mannervarlu’ Scheduled Tribe in the prescribed format without adding anything. The validity shall be subject to the final outcome of the matters which the committee has decided to re-open.
- ii) Learned AGP to communicate this order immediately to the

concerned Committee.

- iii) The petitioners shall not be entitled to claim equities.

[NEERAJ P. DHOTE]
JUDGE

[MANGESH S. PATIL]
JUDGE

GGP