



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2610 OF 2021
WITH
CIVIL APPLICATION NO. 12357 of 2024
IN
WRIT PETITION NO. 2610 OF 2021

SAHEBRAO RAJARAM PARODWAD DIED THROUGH L.RS.

- 1) UJJAWALA WD/O SAHEBRAO PARODWAD
- 2) ASHWINI D/O SAHEBRAO PARODWAD
- 3) GANESH S/O SAHEBRAO PARODWAD

VERSUS

THE STATE OF MAHARASHTRA THR ITS PRINCIPAL SECRETARY AND
OTHERS

...

Advocate for the Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondent Nos. 1 & 5 : Mr. S.R. Wakale
Advocate for Respondent no.2 : Mr. A.M. Gaikwad

...

CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 18.11.2024

PER COURT :

Heard both the sides.

2. Though by way of this civil application, the applicants, who are legal representatives of the original petitioner are seeking some additional relief, which has been withheld on the ground of want of tribe validity certificate, once they having been already allowed to come on record and prosecute the petition as legal representatives of the original petitioner, leave is granted to the applicants/petitioners to amend the petition including the prayer clause.

3. The Civil Application is disposed of. The amendment is to be carried out forthwith.

4. The original petitioner, who was before the committee, seeking validation of his 'Mannervarlu' scheduled tribe certificated, filed this petition challenging the order, refusing to validate it.

5. During pendency of the petition, the original petitioner having died, his legal representatives were allowed and have come on record to prosecute the petition.

6. The impugned order is in respect of six individuals, stated to be related by blood *inter se*, seeking validation of their 'Mannervarlu' scheduled tribe certificates. By the common order their claims were rejected. They had challenged the self-same decision independently by preferring separate writ petitions, as under :

Sr. No.	Writ Petition No.	Name of the petitioner	Decided on
1)	1758/2021	Sumeet Bhanudas Parodwad and Sheetal Bhanudas Parodwad	29.01.2021
2)	1803/2021	Shivani Balaji Parodwad	30.01.2021
3)	4244/2021	Shubham Balaji Parodwad	08.12.2021
4)	3287/2021	Bhanudas Tulshiram Praodwad	07.08.2023

7. Since the order under challenge has already been quashed and set aside to the extent of the rest of the individuals (*supra*), it being a common order, no different view is possible by resorting to a fresh scrutiny of the evidence and the reasons assigned by the committee in respect of the same set of evidence. Rather, it would be a matter of impropriety.

8. For the reasons recorded by the coordinate benches in the matters of the aforementioned individuals, the impugned order, even to the extent of Sahebrao Rajaram Parodwad, is quashed and set aside.

9. The committee shall issue tribe validity certificate in his name and hand it over to the petitioners immediately.

10. On such issuance of tribe validity certificate, the respondents-MSETCL, on its production, shall release all the monetary/service benefits on account of death of Sahebrao Rajaram Parodwad to the petitioners in accordance with the rules and regulations.

11. The writ petition is disposed of accordingly.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

mkd/-