



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

**942 WRIT PETITION NO. 1545 OF 2024
WITH
CIVIL APPLICATION NO. 4743 OF 2024
IN WP/1545/2024**

**RAMESH SHANKAR MAMILWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...

Shri Thorat Chandrakant R., Advocate for the Petitioner.
Shri S.R. Wakale, AGP for Respondent Nos.1 and 2/State.
Ms.Nikita N. Gore, Standing Counsel for Respondent No.3/UoI.

...

**AND
943 WRIT PETITION NO. 1558 OF 2024**

**KAVITA PANDHARI MAMILWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...

Shri Thorat Chandrakant R., Advocate for the Petitioner.
Shri S.R. Wakale, AGP for Respondent Nos.1 to 3/State.

...

**AND
944 WRIT PETITION NO. 1569 OF 2024**

**ONKAR PANDHARI MAMILWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...

Shri Thorat Chandrakant R., Advocate for the Petitioner.
Shri M.K. Goyanka, AGP for Respondent Nos.1 and 4/State.

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

DATE : 26th November, 2024

Per Court :-

The petitioners in all these separate petitions are challenging the common order dated 16.01.2024 whereby, the Scrutiny Committee refused to validate their 'Mannervarlu', Scheduled Tribe certificates in the proceedings under Section 7 of Maharashtra Act No.XXIII of 2001 and directed those certificates to be confiscated and cancelled.

2. We have heard both sides finally.

3. The impugned order is the common order not only in the matter of these three petitioners, but other four individuals Madhushri Prakash Mamilwad, Sampada Sahebrao Mamilwad, Venkateshprasad Sahebrao Mamilwad and Nitin Gangadhar Mamilwad. They had challenged the same order by two separate Writ Petitions bearing Nos.2080/2024 and 2090/2024. By the common judgment and order dated 18.07.2024, those Writ Petitions were partly allowed and these four individuals are held entitled to have certificates of validity subject to final outcome of

the fate of matters of validity holders which the Committee has decided to reopen.

4. Since the impugned judgment has already undergone objective scrutiny by the Division Bench of this Court, no separate reasons are required and can be assigned.

5. For the same reasons, we allow the present Writ Petitions partly. The impugned order even to the extent of these three petitioners is quashed and set aside. They shall be issued with 'Mannervarlu', Scheduled Tribe validity certificates immediately. Their validity would be subject to final outcome of the matters, which the Committee has decided to reopen. The petitioners shall not be entitled to claim equities.

6. Consequently, even Civil Application No.4743/2024 in Writ Petition No.1545/2024 is allowed. The communication/order of respondent No.3 dated 03.04.2024 directing recovery to be made from service benefits to be received by the petitioner, is also quashed and set aside.