



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

942 WRIT PETITION NO. 4342 OF 2021

Balasaheb Narayan Perke,
Age: 28 years, Occu: Service,
R/o. Manjram, Tq. Naigaon Kh.,
Dist. Nanded
At present Panchayat Samiti, Vani,
Tq. Vani, Dist. Yavatmal

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32
2. Deputy Director (Research)
and Member Secretary,
Scheduled Tribe Certificate
Verification Committee,
Near Saint Lawrence High School,
Town Centre, CIDCO, Aurangabad
Dist. Aurangabad
3. The Chief Executive Officer,
Zilla Parishad, Yavatmal,
Tq. and Dist. Yavatmal
4. The Block Development Officer,
Panchayat Samiti, Vani,
Tq. Vani, Dist. Yavatmal

....RESPONDENTS

....

Mr Chandrakant R. Thorat, Advocate for petitioner
Mr R. S. Wani, A.G.P. for respondent Nos.1 and 2/State
Mr D. K. Rajput, Advocate for respondent Nos.3 & 4

(2)

AND
943 WRIT PETITION NO. 4344 OF 2021

Yogesh Ramesh Perke,
Age: 29 years, Occu: Service,
R/o. Manjram, Tq. Naigaon Kh.,
Dist. Nanded
At present – Sai Ram Row House No.2,
Jatra Nandur Link Road, Adgaon Shivar,
Vrindavan Nagar, Nasik,
Tq. and Dist. Nasik Pin 422003

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32
2. Deputy Director (Research)
and Member Secretary,
Scheduled Tribe Certificate
Verification Committee,
Near Saint Lawrence High School,
Town Centre, CIDCO, Aurangabad
Dist. Aurangabad
3. The Chief Executive Officer,
Maharashtra State Electricity
Distribution Company,
Nasik Zone, Nasik
Tq. and Dist. Nasik
4. The Superintendent Engineer,
Maharashtra State Electricity
Distribution Company,
Nasik, Tq. and Dist. Nasik
5. The Executive Engineer,
Maharashtra State Electricity
Distribution Company,

(3)

Nasik Urban-2, Nasik Road,
Tq. and Dist. Nasik

....RESPONDENTS

....

Mr Chandrakant R. Thorat, Advocate for petitioner
Mr R. S. Wani, A.G.P. for respondent Nos.1 and 2/State
Mr A. M. Gaikwad, Advocate for respondent Nos.3 to 5

AND

943 WRIT PETITION NO. 4336 OF 2021

Shailaja d/o Jaywantrao Perke @
Shailaja Shankarrao Pupalwar,
Age: 51 years, Occu: Service,
R/o. Manjram, Tq. Naigaon Kh.,
Dist. Nanded
At present House No.11, Sunrise, Apartment,
Kailash Nagar, Nanded,
Tq. and Dist. Nanded

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32
2. Deputy Director (Research)
and Member Secretary,
Scheduled Tribe Certificate
Verification Committee,
Near Saint Lawrence High School,
Town Centre, CIDCO, Aurangabad
Dist. Aurangabad
3. Puja Sane Guruji Primary School,
Gandhinagar, Biloli,
Tq. Biloli, Dist. Nanded,
Through its Headmaster

....RESPONDENTS

....

Mr Chandrakant R. Thorat, Advocate for petitioner
Mr R. S. Wani, A.G.P. for respondent Nos.1 & 2/State

(4)

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

DATE : 28th November, 2024

JUDGMENT (PER : Prafulla S. Khubalkar, J.)

1. Writ Petition No.4336/2021 was not on board. By consent of the respective parties, the same is taken on board.
2. Rule. Rule made returnable forthwith and heard finally by consent of the learned Advocates for the respective sides.
3. By these writ petitions, the petitioners are challenging the order dated 14/02/2021, passed by respondent No.2/Scrutiny Committee, thereby invalidating their tribe claims.
4. The impugned order is a common order in the matter of ten persons including the petitioners herein.
5. The same impugned order was subject matter of challenge in Writ Petition No.4343/2021, filed by Anmol Jayprakash Perke; Writ Petition No.4825/2021, filed by Gaurav Ratnakar Perke and Writ Petition No.4910/2021, filed by Apurva

(5)

Ratnakar Perke. By a common judgment and order dated 10/10/2023, these three writ petitions were decided by this Court and after elaborate reasoning, the same were partly allowed. Since the impugned order was subject matter of scrutiny in those three writ petitions, in view of the judgment dated 10/10/2023, the instant writ petition also will have to be allowed to the extent of the present petitioners. Hence, the following order:-

- (a) All these writ petitions are partly allowed.
- (b) The impugned order dated 14/02/2021 to the extent of the present petitioners is quashed and set aside.
- (c) Respondent/Scrutiny Committee is directed to immediately issue tribe validity certificates to these petitioners as belonging to the 'Mannervarlu' Scheduled Tribe under the prescribed format, without adding anything.
- (d) These validity certificates shall be subject to the final outcome of the matters which the Committee has decided to reopen.
- (e) The petitioners shall not be entitled to claim any equities.

(6)

6. Rule is made partly absolute in above terms.
7. No order as to costs.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)

sjk