



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO. 7184 OF 2024

VIDHAN VENKAT THAKKE THROUGH GUARDIAN VENKAT SAYANNA
THAKKE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

...

Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents : Mr. R. S. Wani

CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 12.07.2024

PER COURT :

Heard both the sides finally.

2. The petitioner is challenging the order of invalidation of respondent no. 2 -scrutiny committee whereby his tribe certificate of Mannervarlu scheduled tribe has been confiscated and cancelled.

3. The learned advocate for the petitioner submits that the petitioner's real sister Vidhi has been granted a certificate of validity, as usual, by imposing a condition, by the order dated 04.01.2021 in Writ Petition No. 9136/2020. The self-same contrary record which was referred to in her matter by the scrutiny committee forms the basis for it even in the petitioner's matter. The petitioner is ready to face the consequences as contemplated in the matter of **Shweta Balaji Isankar Vs. State of Maharashtra and others (Writ Petition No. 6320 of 2017)**, decided on **27.07.2018** and she deserves to be granted a certificate of validity.

4. The learned A.G.P. opposes the petition. He supports the order. He

points out that several contrary entries could be revealed after petitioner's father's claim was decided. Notice has also been issued to him and it would not be proper for this Court to grant even a conditional validity.

5. Irrespective of the fact whether the committee possesses any such power to undertake a review or availability of certain circumstances bordering fraud attributable to the petitioner's father, when already this Court has found his sister Vidhi to be entitled to derive the benefit of such earlier validity of the father and cousins, it would not be appropriate that the petitioner is treated unequally.

6. The writ petition is partly allowed. The impugned order is quashed and set aside. The respondent - committee shall immediately issue a tribe validity certificate to the petitioner as belonging to 'Mannervarlu' scheduled tribe in the prescribed format without adding anything today before 4 p.m. The validity shall be subject to the final outcome of the matters which the committee has decided to re-open.

7. The petitioner shall not be entitled to claim equities.

8. The parties to act upon an authenticated copy of the operative part of this order.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-