



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

WRIT PETITION NO. 7322 OF 2024

Ritesh Ashok Bodhgire .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 7326 OF 2024**

Snehal Manik Bodhgire .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Shri Madhur A. Golegaonkar, Advocate for the Petitioner in both matters.

Shri R. S. Wani, A.G.P. for the Respondent Nos. 1 to 3.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 18 JULY 2024.**

FINAL ORDER (Per Shailesh P. Brahme, J.) :-

. Heard both sides finally at the admission stage. Both the petitions are decided together because they are challenging common judgment and order dated 02.07.2024.

2. Petitioners are cousins and they rely upon validity certificates of Mayuri, Manoj, Mohini, Mrunal and Aryan, which are issued by orders of High Court. Besides that there are number of validity holders from paternal side to support their claim. Validity certificates were issued to them after following due procedure of law and those would enure to the benefit of the

petitioners.

3. Learned Assistant Government Pleader supports impugned judgment and order. It is being submitted that this Court can conduct independent scrutiny of the record. There are many contrary entries of the relatives. The committee found manipulation in the school record of the relatives. Therefore, there is no reason to interfere with the impugned judgment and order.

4. Petitioners have placed on record orders passed by the High Court in the matter of Mayuri, Manoj, Mrunal, Aryan and Mohini. Relationship is demonstrated through genealogy by the petitioners, which is not disputed. Mayuri is the real sister of petitioner Snehal and first cousin of petitioner Ritesh. The scrutiny Committee and the High Court on the earlier occasion have considered the self same record, therefore, unless any perversity or fraud is pointed out, we cannot take any different view.

5. Petitioners are entitled to validity certificates on the ground of parity. Though the scrutiny committee has proposed to conduct reverification of the validity certificates of earlier holders, unless earlier validities are revoked, petitioners cannot be deprived of the social status claimed by them. As the petitioners are ready to abide by the law laid down in the matter of **Shweta Balaji Isankar Vs. The State of Maharashtra and others judgment dated 27 July 2018 in W. P. No. 5611 of**

2018, it would be appropriate to grant them validity certificate on certain conditions. Hence we pass following order.

O R D E R

- I. Writ petitions are allowed partly.
- II. Impugned judgment and order dated 02.07.2024 passed by the respondent/Scrutiny Committee is quashed and set aside.
- III. The respondent/scrutiny committee shall issue validity certificates to the petitioners as belonging to “Mannervarlu” (Scheduled Tribe) immediately. Same shall be subject to outcome of the reverification of the validity certificates intended to be undertaken by the scrutiny committee.
- IV. Petitioners shall not be entitled to claim equities.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/July 24