



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

Writ Petition No. 7681 OF 2024

Rohit s/o Gangadhar Pujarwad,
Age 19 years, Occu. Student,
R/o at Post Ratnali, Tq. Dharmabad,
Dist. Nanded.

...Petitioner

Versus

1. The State of Maharashtra,
Through Secretary,
Medical Education Department,
Mantralaya, Mumbai-32.
2. Scheduled Tribe Certificate
Verification Committee, Kinwat,
Headquarter Chhatrapati Sambhajinagar,
Through its Deputy Director (Research)
and Member Secretary,
Near CIDCO Bus Stand, Chhatrapati
Sambhajinagar, Dist. Chhatrapati
Sambhajinagar.

...Respondents

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Mr. Chandrakant R. Thorat, Advocate for the Petitioners.

Mr. K.S. Patil, AGP for Respondents/State.

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

DATE : 1 AUGUST 2024

FINAL ORDER [Per: Shailesh P. Brahme, J.] :

. As the petitioner aspires to pursue further education on the

basis of caste status, it is heard finally at the admission stage.

2. The petitioner takes exception to the judgment and order dated 03.07.2024 passed by the Scrutiny Committee, confiscating and invalidating his tribe certificate of Mannervarlu scheduled tribe. He seeks to rely on seven validity certificates issued in his family. Out of that, Gangadhar is his father, Sunita is his aunt who is first validity holder. His cousins Rani, Shital and Sahil were issued with validity certificates by the High Court in distinct proceedings. With this overwhelming material, he prays to allow his petition.

3. Learned AGP opposes the petition. He would submit that the school record of blood relatives of the petitioner namely Poshetty, Venkati, Narayan, Godavari, Vitthal and Laxman is incompatible with the tribe claim. He also refers to manipulation of school record of Hanmanlu and Vitthal. It is submitted that the validities were obtained suppressing adverse entries. He, therefore, prays that no case is made out to upset the impugned judgment and order.

4. We have gone through genealogy. The relationship of the petitioner with validity holder shown in the genealogy has not been disputed. The paternal side aunt of the petitioner Sunita is the first validity holder and her validity was relied on in the caste claim of petitioner's father, Gangadhar. Petitioner has placed on

record vigilance report in the matter of his father, Gangadhar. It appears that school record of Gangadhar, Sunita and Vitthal was verified by the Vigilance Cell which was found to be genuine. Thereafter the Committee issued validity certificates to them by speaking order. There is no reason to take exception to the validity issued to Gangadhar.

5. Petitioner's cousin Sahil was issued with validity certificate by the High Court in Writ Petition No. 1785/2022 vide order dated 08.02.2022, albeit conditionally. Similarly other cousins Shital and Rani were issued with validity certificate vide common order dated 17.07.2019 by the High Court on certain conditions. We adopt the same reasons and the course.

6. Petitioner is ready to run the risk as per the judgment rendered in the matter of **Shweta Balaji Isankar Vs. the State of Maharashtra and Others**, in Writ Petition No.5611/2018. As done in the case of his cousins, we grant him validity conditionally. We, therefore, pass following order :

ORDER

- a. The Writ Petition is allowed partly.
- b. The judgment and order dated 03.07.2024 passed by the Scrutiny Committee is quashed and set aside.
- c. The Scrutiny Committee shall issue tribe validity certificate of 'Mannervarlu' Scheduled Tribe to the petitioner forthwith. The same shall be subject to the

outcome of re-verification proposed by the Scrutiny Committee.

- d. The petitioner shall not be entitled to claim equities.

SHAILESH P. BRAHME
JUDGE

MANGESH S. PATIL
JUDGE