



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

Writ Petition No. 7982 OF 2024

Sakshi d/o Shankar Govindwar
Age 18 years, Occu. Student,
R/o Savarmal, Tq. Mukhed,
Dist. Nanded.

...Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai.
2. Scheduled Tribe Certificate Verification
Committee, Kinwat,
Headquarter Chhatrapati Sambhajinagar,
Through its Deputy Director (Research)
and Member Secretary.
Near Saint Lawrence High School,
Town Centre, CIDCO,
Dist. Chhatrapati Sambhajinagar,

...Respondents

— — —

Mr. Thorat Chandrakant R., Advocate for the Petitioner.
Mr. S.R. Yadav Lonikar, AGP for Respondents/State.

— — —

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

DATE : 07 AUGUST 2024

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

. Heard both the sides finally as the petitioner aspires to
pursue further education on the basis of reservation.

2. The petitioner is challenging judgment and order dated 22.07.2024 passed by the Scrutiny Committee, confiscating and invalidating her tribe certificate of 'Mannervarlu' Scheduled Tribe.

3. Learned Counsel for the petitioner refers to validity certificates issued to Venkant Tulsiram Govindwar, who is cousin grandfather and validities of cousin uncles Tushar and Mahesh. He would submit that the validity certificates are reliable and selfsame record has been scrutinized previously to issue validity certificates. On the ground of parity he prays to allow the petition.

4. Learned AGP opposes the submission of the petitioner. He would point out that the Committee has taken a reasonable and plausible view. The validity holders are found to be unreliable considering incompatible school record of the relatives. He would submit that no case is made out to interfere with the impugned judgment and order.

5. We have considered the rival submissions of the parties. We find that there is no dispute about the relationship of the petitioner with the validity holders. They are her parental side relatives figuring in the genealogy. The impugned judgment shows that there are number of other validity holders in the family. Venkat Tulsiram Govindwar is the first validity holder. There was vigilance report in his matter. Even the contrary

record was considered during the inquiry alongwith old favourable record. He was issued with validity certificate by a speaking order of the Scrutiny Committee. There is no reason to discard his validity certificate.

6. It reveals that Tushar and Mahesh are issued with validity certificate by our order dated 20.07.2024 in Writ Petition No.2167/2022. We prefer to adopt the same course and reasons for granting the petitioner validity. Unless earlier validity certificates are revoked, it would be discriminatory to deny the validity certificate to the petitioner.

7. Petitioner is ready to abide by the result of the re-verification undertaken by the Scrutiny Committee. In view of law laid down in the matter of **Shweta Balaji Isankar Vs. the State of Maharashtra and Others**, in Writ Petition No.5611/2018, we propose to issue validity certificate to her conditionally. We, therefore, pass following order :

ORDER

- a. The writ petition is allowed partly.
- b. The judgment and order dated 22.07.2024 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

Najeeb..