



(1)

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

WRIT PETITION NO.9285 OF 2019

Shivaji s/o Ramrao Alewad,
Age: 45 years, Occu: Sarpanch,
Grampanchayat Talbeed,
R/o. At Talbeed, Post. Ghungarala,
Tq. Naigaon Kh., Dist. Nanded

...Petitioner

VERSUS

1. State of Maharashtra,
through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai
2. The District Collector, Nanded
3. Deputy Director (Research)
and Member Secretary,
Scheduled Tribe Certificate
Verification Committee, Aurangabad
4. The Tahsildar, Naigaon Kh.,
Tq. Naigaon Kh. Dist. Nanded
5. The Gramsevak,
Grampanchayat Talbeed,
Tq. Naigaon Kh. Dist. Nanded

...Respondents

....

Mr C. R. Thorat, Advocate for petitioner
Mr S. R. Wakale, A.G.P. for respondent Nos.1 to 4

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

DATE : 11th December, 2024

PER COURT (Prafulla S. Khubalkar, J.)

1. Heard.

2. The Petitioner is challenging the judgment and order dated 08/07/2019, passed by respondent No.3/Caste Scrutiny Committee invalidating his caste claim for 'Mannervarlu' Scheduled Tribe category.

3. The impugned judgment and order is a common order in the matter of Ku. Mayuri Madhavrao Alewad, Madhav Ganeshrao Alewad and the present petitioner. The said impugned order was a subject matter of challenge in Writ Petition No.8803/2019, filed by Mayuri Madhavrao Alewad Vs. State of Maharashtra and others, and Writ Petition No.8804/2019, filed by Madhavrao Ganesh Alewad Vs. State of Maharashtra and others. By the orders dated 19/07/2019, these two writ petitions were decided by this Court after considering the factual and legal aspects and the impugned orders to the extent of the petitioners therein were quashed and set aside, directing the respondent/Committee to issue validity certificate in their favour.

4. In view of the judgment and orders dated 19/07/2019 passed in Writ Petition Nos. 8803/2019 and 8804/2019, the instant writ petition will also have to be allowed. Hence, the following order :-

(3)

(a) The impugned order dated 08/07/2019, passed by respondent No.3/ Caste Scrutiny Committee is quashed and set aside also to the extent of the present petitioner.

(b) Respondent No.3/ Scrutiny Committee is directed to issue validity certificate of 'Mannervarlu' Scheduled Tribe category to the petitioner, immediately.

(c) The said tribe validity certificate shall be subject to the decision that would be taken by the respondent/Committee in the matters which the Committee has decided to reopen.

(d) The petitioner shall not claim any equities.

5. The writ petition is partly allowed. No order as to costs.

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

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