



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

WRIT PETITION NO. 8632 OF 2024

Abhishek Laxman Mayklod .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

**WITH
WRIT PETITION NO. 8639 OF 2024**

Vaishnavi Laxman Mayklod .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Chandrakant R. Thorat, Advocate for the Petitioner in both matters.

Shri V. M. Chate, A.G.P. for the Respondent Nos. 1 and 2 in both matters.

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

DATE : 22 AUGUST, 2024.

FINAL ORDER :

. Heard. Petitioners are siblings and are challenging separate orders in their respective matters, whereby the Committee on the same date has refused to validate their 'Mannervarlu' scheduled tribe certificates.

2. Learned advocate for the petitioners submits that though

the committee has now disclosed its intention to undertake review of the validity possessed by petitioners' father on the ground that he had obtained it by suppressing contrary record, till the time the Committee is able to take that inference to the logical end and is able to recall his certificate of validity, the petitioners cannot be deprived of the same benefit. They are ready to run the risk of facing consequences as contemplated 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** and conditional validity should be issued to them.

3. The learned Assistant Government Pleader opposes the request.

4. When admittedly petitioners' father possesses the certificate of validity ex-facie by undertaking due process of law, the vigilance enquiry was conducted and he was issued with the certificate of validity by reasoned order, the petitioners are entitled to derive the benefit of validity. Obviously, if and when father's validity is recalled by the Committee by following due process of law, even the petitioners would face the consequences.

5. In the light of the above, we allow both the petitions partly.

6. The writ petitions are allowed partly. Impugned orders passed by the respondent No. 2/Scrutiny Committee are quashed

and set aside. The petitioners shall be issued with the certificates of validity of 'Mannervarlu' scheduled tribe, whose validity would be co-terminus with the matter of the validity of their father, which the Committee has decided to reopen. The petitioners shall not be entitled to claim equities.

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

bsb/Aug. 24