



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8625 OF 2024

Nagesh Shyamsundar Populwad
VERSUS

1. The State of Maharashtra
2. The Scheduled Tribe Caste Certificate Verification Committee Kinwat

Mr. S. M. Vibhute, Advocate for the petitioner
Mr. S. P. Joshi, AGP for respondent Nos.1 and 2/State

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

DATE : 21.08.2024

ORDER (PER - SHAILESH P. BRAHME, J):

Heard both sides finally considering urgency in the matter.

2. The petitioner is challenging the judgment and order dated 09/08/2024 passed by the scrutiny committee invalidating the tribe certificate. He would rely on validity certificates of Shridnya and Tanupriya. Both of them were issued with validity certificates by the orders of this Court which are placed on record.

3. The learned AGP would support the impugned judgment and order. He submits that the scrutiny committee has rightly considered the

material on record. The validity certificates are rightly discarded considering incompatible school record of Avdhoot Balaji.

4. We have considered the submissions of both the parties. It reveals from record that Tanupriya was issued with validity certificate vide order dated 31/07/2019 passed in Writ Petition No. 8860/2019. Shridnya was also issued with validity certificate by High Court vide order dated 11/01/2022 passed in Writ Petition No. 492/2022. We also noticed that in the matter of Tanupriya there was vigilance enquiry. We find that both the validity certificates would enure to the benefit of the petitioner.

5. When selfsame record was already been scrutinized on earlier occasion, the petitioner is also entitled to same social status on the ground of parity. It is informed that the committee has issued show cause notice to the validity holders. The petitioner is ready to run race as contemplated by **Shweta Balaji Isankar Vs. The State of Maharashtra and others in Writ Petition No. 5611/2018 decided on 27.07.2018**. In that view of the matter the petitioner can be issued with validity certificate on certain condition. We, therefore, pass following order.

ORDER

- i. Petition is partly allowed.

- ii. The impugned judgment is quashed and set aside.
- iii. The scrutiny committee shall issue validity certificate to the petitioner which shall be subject to out come of the reverification of the validity holder.
- iv. Petitioner shall not be entitled to claim any equities.

(SHAILESH P BRAHME, J.)

(MANGESH S. PATIL, J.)

SSP