



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

**WRIT PETITION NO. 8933 OF 2024**

Sayli Bhumanna Raytuwar .. Petitioner

**Versus**

The State of Maharashtra and another .. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioner.

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

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

**DATE : 26 AUGUST, 2024.**

**FINAL ORDER (Per Shailesh P. Brahme, J.) :-**

. Heard both sides finally considering exigency of the petitioner.

2. The petitioner is assailing judgment and order dated 12.08.2024 passed by the respondent No. 2/Scrutiny Committee confiscating and invalidating her tribe certificate of Mannervarlu, scheduled tribe. The petitioner seeks to rely on the validity certificates of her father and cousin brother Onkar. The learned counsel for the petitioner submits that as the self same record has already been verified on earlier occasion, she is entitled to receive validity certificate on the ground of parity.

3. The learned Assistant Government Pleader would support

the impugned judgment and order. He would submit that the Scrutiny Committee has rightly discarded the certificate of validity upon which reliance is placed by the petitioner. He would point out that school record of Narsimalu and Potanna is incompatible with the tribe claim and that of Shripati is found to be tampered one. He would submit that the Committee has taken reasonable and plausible view and no interference is called for.

4. We have considered rival submissions of the parties. It transpires from record that Hanmanlu, father of the petitioner was issued with the validity certificate after conducting vigilance enquiry. It also transpires that cousin brother of the petitioner Onkar was issued with the validity certificate by orders of the coordinate bench passed on 17.11.2020 in Writ Petition No. 1715 of 2020. In his matter petitioner's father i. e. Bhumanna's certificate of validity was relied upon as well as the school record of various relatives was considered. He was issued with the validity certificate conditionally. We propose to follow same reasoning and the course.

5. Though the learned A. G. P. has pointed out adverse record. The Committee has proposed to undertake reverification of the earlier validity holders. The petitioner is ready to run the risk of facing consequences in view of the judgment 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.** On the ground of party, the petitioner deserves to be issued with the validity certificate conditionally. We, therefore, pass following order.

### **O R D E R**

- a. The writ petition is allowed partly.
- b. The impugned judgment and order dated 12.08.2024 passed by the respondent No. 2/Scrutiny Committee is quashed and set aside.
- c. The respondent No. 2/Scrutiny Committee shall issue validity certificate to the petitioner of Mannervarlu scheduled tribe immediately in prescribed proforma.
- d. The said validity certificate shall be subject to the outcome of the reverification undertaken by the Scrutiny Committee of the earlier validity holders.
- e. The petitioner shall not be entitled to claim equities.

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

*bsb/Aug. 24*