



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 8953 OF 2024

PRANITA PRAKASH MUPADE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioners : Mr. P.V. Jadhavar

AGP for Respondents : Mr. V.M. Chate

...

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

DATE : 23 AUGUST 2024

PER COURT [*Shailesh P. Brahme, J.*] :

Heard both the sides finally considering urgency of the petitioners.

2. The petitioners are challenging common judgment and order dated 08.08.2024 passed by respondent no. 2 – Scrutiny Committee, confiscating and invalidating their tribe certificates of scheduled tribe ‘Mannervarlu’. They would rely on validity certificates issued in pursuance of orders of High Court in the matters of Neha, Pooja, Shubhangi, Shivam and Sahebrao. Besides that, there are number of validities issued in the family which is demonstrated from the genealogy. On the principles of parity, they are claiming same social status.

3. Learned AGP supports impugned judgment and order. He would submit that the Committee is justified in discarding validity certificates because the school record of the relatives of the petitioners was found to be incompatible. The manipulation was also noticed in the school record of the relatives. The Committee has proposed reverification and has issued show cause notices to earlier validity holders.

4. We have considered rival submissions of the parties. The genealogy upon which reliance is placed by the petitioners is undisputed. The validity holders shown in the genealogy are paternal side relatives of the petitioners. It is also not disputed that pursuant to the orders of the High Court, validity certificates were issued to Sahebrao, Shubhangi, Shivam, Pooja and Neha. Orders passed by the High Court in the matters of Shivam and Pooja are on record. We find that the self-same record has already been considered by the Committee and the High Court on different occasions. We propose to follow the same course adopted in the matters of the relatives referred to above, by the High Court. On the ground of parity, petitioners are entitled to receive the validity certificates.

5. The tampering of record and contrary entries can be looked into by the Committee during the course of reverification. The petitioners are ready to run risk as per *Shweta Balaji Isankar Versus State of Maharashtra and others*, passed by this High Court in Writ Petition No. 5611/2018. Petitioners deserve to receive validity certificates conditionally. We, therefore, passed following order :

**ORDER**

- i. Writ Petition is allowed partly.
- ii. Impugned judgment and order dated 08.08.2014 is quashed and set aside.
- iii. The respondent no. 2 – Scrutiny Committee shall issue tribe validity certificates of ‘Mannervarlu’ scheduled tribe to the petitioners forthwith which shall be subject to final outcome of reverification.
- iv. The petitioners shall not claim equity.

[ SHAILESH P. BRAHME, J. ]

[ MANGESH S. PATIL, J. ]