



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

WRIT PETITION NO. 9623 OF 2024

SHASHIKANT VENKATRAO PURAMWAR

VERSUS

**THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER**

...

Advocate for Petitioner : Mr. Patil Indrale Anand Vinayakrao

AGP for Respondents/State : Mr. S.R. Yadav Lonikar

...

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

DATE : 12 SEPTEMBER 2024

PER COURT :

1. Heard both the sides finally.

2. The petitioner is challenging the order of invalidation.

3. Learned advocate for the petitioner submits that on the request of petitioner, he was allowed to adopt the reply filed by his blood relative – Rahul Ashok Puramwar to the vigilance report conducted in his matter. The record that was revealed in the vigilance inquiry in the matter of Rahul forms basis for the Committee to pass the impugned order. He would submit that in Writ Petition No.7771/2024 by the order dated 13.08.2024, for the reasons recorded therein, Rahul was held entitled to have a certificate of validity subject to the final outcome of the matters which the Committee had decided to reopen in respect of the validity holders. The learned advocate submits that like Rahul, he is ready to face the

consequences as have been spoken out in the matter of **Shweta Balaji Isankar Vs. State of Maharashtra and Others** in Writ Petition No.5611/2018, and he is ready to accept the conditional validity.

4. After going through the original file of the petitioner and going by the genealogy, apart from the stand being taken by the Committee of permitting the petitioner to adopt Rahul's reply, there cannot be dispute that both are related by blood inter se from paternal side. It is thus apparent that in the matter of Rahul, favourable as well as contrary record which was under consideration and scrutiny of the Committee as also this Court, being the selfsame record which forms the basis for passing the impugned judgment and order, no fresh scrutiny is required.

5. For the selfsame reasons as we have recorded in the matter of Rahul, the writ petition is allowed partly. The impugned order is quashed and set aside. The respondent/Committee shall immediately issue tribe validity certificate to the petitioner as belonging to 'Mannervarlu' scheduled tribe in the prescribed format without adding anything. The validity shall be subject to the final outcome of the matters which the Committee has decided to reopen.

6. The petitioner shall not be entitled to claim equities.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]