



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

WRIT PETITION NO.9815 OF 2024

**AKSHAY S/O DIGAMBAR MUPADE
VERSUS**

- 1. THE STATE OF MAHARASHTRA THR. ITS SECRETARY**
- 2. SCHEDULED TRIBE CERTIFICATE VERIFICATION COMMITTEE,
KINWAT HQ. CHH. SAMBHAJINAGAR THR. DEPUTY DIRECTOR (R)**

...
Advocate for the Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondents: Mr. R.S. Wani
...

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

DATE : 10.09.2024

PER COURT:

The petitioner is challenging the order of invalidation.

2. Though the petitioner's order impugned in this petition is a separate one, it reveals that a common vigilance inquiry was conducted in the matter of ten individuals including the petitioner. The Committee had refused to validate the tribe certificates of five of them namely Pooja Vilas Mupade, Neha Vinod Mupade, Satish Hanmant Mupade, Pranali Prakash Mupade and Pranita Prakash Mupade. They all had challenged the orders of invalidation and were held by this Court entitled to have certificates of validity by the order dated 06.01.2021 in WP No.9042/2020 and WP No.9043/2020 and by the order dated

23.08.2024 in WP No.8953/2024 respectively.

3. Resultantly, when the selfsame record was the subject matter of scrutiny of this Court in the matters of these other individuals, the impugned order in the present matter being based on the same material it is liable to be quashed and set aside for the selfsame reason as have been recorded in the matters of these individuals.

4. It would not be appropriate to embark upon a fresh scrutiny and to take a different stand. The impugned order is liable to be quashed and set aside and the petitioner deserves to be treated equally with those individuals.

5. The writ petition is partly allowed. The impugned order dated 04.09.2024 is quashed and set aside. The respondent - committee shall immediately issue tribe validity certificate to the petitioner as belonging to '*Mannervarlu*' scheduled tribe, which shall be coterminous with validities of the earlier validity holders.

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

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

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