



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10162 OF 2024

Yash Balaji Maldode,
Age : 18 years, Occ : Student,
R/o : Manjram, Tq. Naigaon,
Dist. Nanded

... Petitioner

VERSUS

The State of Maharashtra
Through its Secreatry and others

... Respondents

...
Advocate for petitioner : Mr. Madhur A. Golegaonkar
Addl.GP for the respondent – State : Mr. P.S. Patil
...

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

DATE : 18 SEPTEMBER 2024

ORAL ORDER (MANGESH S. PATIL, J.) :

The petitioner is challenging the order of invalidation.

2. In the light of urgency, papers were allowed to be produced.

3. Issue notice for final disposal. AGP waives service. The matter is being disposed of finally at the stage of admission with the consent of both the sides.

4. In the light of the fact that in *writ petition no. 9047 of 2020*, by the order dated 25-07-2023, in case of petitioner's real brother – Bankam, a similar order was quashed and set aside and he was

directed to be issued with a certificate of validity, subject to the usual condition of making it co-terminus with the proceedings of the validity holders which the committee has decided to re-open.

5. In the light of the fact that the vigilance enquiry conducted in the matter of Bankam, forms the basis even for passing the order under challenge, the petitioner cannot be treated differently.

6. For the selfsame reasons, as recorded in the matter of Bankam (*writ petition no. 9047 of 2020 - supra*), the writ petition is partly allowed.

7. The impugned order is quashed and set aside.

8. The order is dictated in open Court in presence of the AGP as also the Law Officer, who shall immediately communicate the decision to the committee and the petitioner be issued with the certificate of validity forthwith as belonging to 'Mannervarlu' scheduled tribe. The validity shall be co-terminus with the proceedings of the validity holders which the committee has decided to re-open.

9. The petitioner shall not claim equities.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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