



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10288 OF 2024

1. Tushar s/o Govind Govindwar
2. Godawari d/o Govind Govindwar

Versus

1. The State of Maharashtra Thr. Secretary Department of Tribal Development, Mantralaya, Mumbai – 32
2. Scheduled Tribe Certificate Scrutiny Committee, Kinwat Head Office Chhatrapati Sambhajinagar, Thr. its Member Secretary

...

Advocate for Applicants : Mr. Deepak Choudhari and Mr. V.G. Gangalwad
AGP for Respondent/State : Mr. S.R. Yadav Lonikar

...

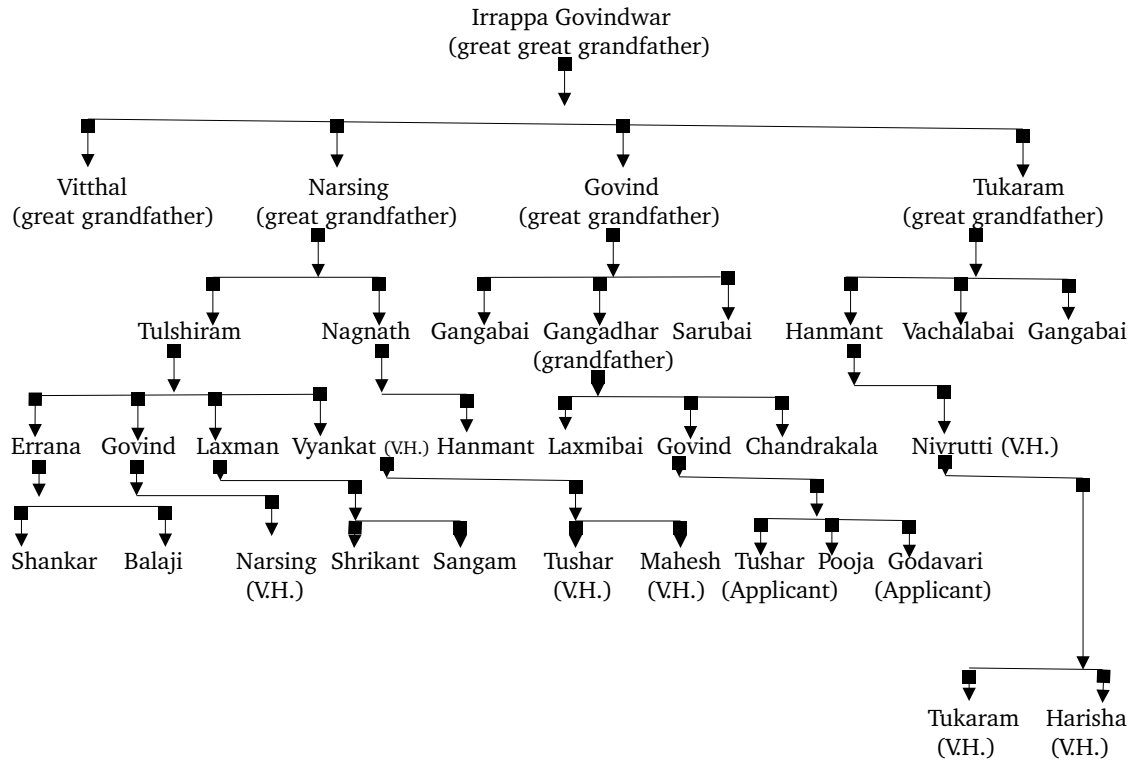
CORAM : **MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : **30.09.2024**

PER COURT :

Heard both the sides finally.

2. The petitioners who are siblings are challenging the decision of the Committee refusing to validate their 'Mannervarlu' scheduled tribe certificates by the order under challenge dated 12.09.2024.
3. We have heard both the sides with consent in the light of the exigency.
4. The petitioners are banking upon the following genealogy :



5. Irrespective of the reasons assigned by the Committee touching the merits of the petitioners' matter, the fact remains that this Court has found his blood relatives Tushar Vyankat and Mahesh Vyankat as also Sakshi Shankar to be entitled to have certificates of validity. Since it is a matter of social status, in the light of the fact that there is no dispute about these validity holders being related to the petitioners by blood, since the validities were issued pursuant to the order of this Court, which in turn is sufficient to demonstrate that they were issued with certificates of validity by due process of law, even the petitioners are entitled to have certificates of validity subject to the final outcome of the matters which the Committee has decided to reopen.

6. Pertinently, Sakshi Shankar's matter (Writ Petition

No.7982/2024) was decided by us on 07.08.2024. For the selfsame reason as recorded therein as also in the matter of Tushar Vyankat and Mahesh Vyankat which was also decided by us.

7. The writ petition is allowed partly. The impugned order is quashed and set aside. The Committee shall immediately issue tribe validity certificate to the petitioners as belonging to '*Mannervarlu*' scheduled tribe, which shall be subject to the decision to be taken by the committee in the reopened matters.

8. The petitioners shall not be entitled to claim equities.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

habeeb