



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10337 OF 2024

RAJESHRI VIRBHADRA POTALWAD

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH SECRETARY
2. SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE, KINWAT
HEAD OFFICE CHH. SAMBHAJINAGAR THR. MEMBER SECRETARY

...
Advocate for the Petitioner : Mr. Deepak D. Choudhari and
Mr. Vijay G Gangalwad
AGP for Respondents: Ms. V.N. Patil Jadhav
...

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

DATE : 20.09.2024

PER COURT :

Heard.

2. Issue notice for final disposal, made returnable forthwith.
Learned AGP waives service for both respondents. Considering the exigency though the matter is fresh, it has been taken up on production board and it is being disposed of by this order.
3. The petitioner who claims to be belonging to 'Mannervarlu' scheduled tribe is challenging the judgment and order of the respondent No. 2 – Scrutiny Committee refusing to validate her tribe certificate.

4. Though we have heard both the sides, it transpires that the petitioner's real sister Vaishnavi was held entitled to have a certificate of validity by the order of this Court in Writ Petition No.9539/2024 dated 04.09.2024, whose claim was invalidated for the similar reasons.

5. Incidentally, vigilance inquiry report conducted in the matter of petitioner was allowed to be adopted by Vaishnavi and thereafter her matter was decided by the same Committee in the month of August 2024. For the reasons best known to the Committee, when it could have easily disposed of even the petitioner's matter, may be even in the selfsame judgment and order, the Committee has passed a separate order on 18.09.2024 which is under challenge. This reflects on the sick mentality of the members maning the committee.

6. Be that as it may, when the petitioner's real sister Vaishnavi has been held entitled to have a certificate of validity based on the same record which is subject matter for passing the impugned order, for the same reasons as we have recorded in the matter of Vaishnavi, the writ petition is partly allowed.

7. The impugned judgment and order dated 18.09.2024 passed by the respondent No.2 – Scrutiny Committee is quashed and set aside.

8. The respondent No.2 – Scrutiny Committee shall immediately issue tribe validity certificate to the petitioner as belonging to '*Mannervarlu*' scheduled tribe in the prescribed proforma.

9. The validity certificate of the petitioner shall be co-terminus

with the validity certificates of the blood relatives of the petitioner who are facing reverification.

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

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

habeeb