



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

WRIT PETITION NO. 10802 OF 2024

Deepak Digambar Tondewad .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioner.
Mrs. S. S. Joshi, A.G.P. for the Respondent Nos. 1 and 2.

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.
DATE : 08 OCTOBER 2024.**

FINAL ORDER :

. The petitioner is challenging judgment and order dated 26.09.2024 passed by the respondent No. 2/Scrutiny Committee thereby invalidating his 'Mannervarlu' scheduled tribe claim and refusing to validate the tribe certificate.

2. We have heard both the sides finally.

3. The petitioner's invalidation was preceded by his adopting reply filed by his distant cousins Anuja Ramchandra and Manisha Shivaji. In Writ Petition No. 10320 of 2023 by common order both girls were held entitled to have certificates of validity.

4. Since it is a matter of social status and fact that the reply

filed by these two girls was allowed to be adopted by the petitioner while deciding his claim, he cannot be treated differently and would be entitled to have certificate of validity subject to usual terms and conditions. Besides, as mentioned above Committee in the order under challenge has observed that there are numerous validities in the family issued from time to time. We, therefore, allow the writ petition partly.

5. The writ petition is allowed partly. The impugned judgment and order dated 26.09.2024 passed by the respondent No. 2/Scrutiny Committee is quashed and set aside. The respondent No. 2/Scrutiny Committee shall issue validity certificate to the petitioner as belonging to 'Mannervarlu' scheduled tribe immediately in prescribed proforma. The validity certificate of the petitioner shall be subject to final outcome of the matters which the committee has decided to reopen. The petitioner shall not be entitled to claim equities.

[SHAILESH P. BRAHME J.]

[MANGESH S. PATIL, J.]

bsb/Oct. 24