



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10864 OF 2024

Vaishnavi d/o Madhav Bhadewad,
Age 20 years, Occ. Education,
R/o. Navha, Tq. Hadgaon, Dist.
Nanded.

... Petitioner

VERSUS

1) The State of Maharashtra,
Through its Secretary,
Tribal Development, Department,
Mantralaya, Mumbai.

2) The Scheduled Tribe Caste Certificate
Verification Committee Kinwat,
Headquarter at Chh.Sambhaji Nagar,
Through its Dy. Director (R).

... Respondents

...

Advocate for Petitioner : Mr. Sunil Mahadevappa Vibhute
A.G.P. for Respondents/State : Mrs. V.N. Patil-Jadhav

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

DATE : **03.10.2024**

PER COURT :

Heard.

2. Issue notice for final disposal.
3. The learned A.G.P. waives service for both the sides.
4. The petitioner is challenging the order of respondent no. 2-scrutiny committee, whereby it has refused to validate her Mannervarlu scheduled tribe certificate by the impugned judgment and order dated 23.09.2024.

5. Suffice for the purpose to observe that the petitioner's real brother Shrinivas had faced invalidation. A vigilance enquiry was conducted in his matter and he had filed a reply thereto. In Writ Petition No. 2061/2020, by the order dated 30.08.2023, for the reasons recorded therein, he was held entitled to have a certificate of validity subject to the final outcome of the matters of the validity holders, which the committee had decided to reopen.

6. Taking into account the fact that the reply filed by Shrinivas was allowed to be adopted by the petitioner while passing the impugned judgment and order, it is well neigh clear that the same record has undergone scrutiny twice by the committee. We need not assign special or exceptional reasons except what we had recorded while allowing Shrinivas's petition and the petitioner would be entitled to have a conditional validity as well.

7. The writ petition is partly allowed.

8. The impugned judgment and order is quashed and set aside.

9. The respondent no.2-committee shall immediately issue certificate of validity to the petitioner as belonging to '*Mannervarlu*' scheduled tribe, which shall be co-terminus with the validity certificates of the blood relatives namely her father Madhav and paternal uncle Gangadhar. She shall not be entitled to claim equities. The petitioner's father and uncle shall cooperate the committee in early decision of the matters, which it has reopened.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-