



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11206 OF 2024

1. Santosh s/o Dilip Totawad
Age 18 years, Occ. Education
2. Sarojana d/o Pandurang Totawad
Age 27 years, Occ. Education
3. Swapnil s/o Pandurang Totawad
Age 28 years, Occ. Education

All above R/o. At post Lohgaon
Tq. Biloli, District Nanded

...Petitioners

versus

1. The State of Maharashtra
Through its Secretary
Tribal development Department
Mantralaya, Mumbai
2. Scrutiny Committee for Scheduled
Tribes Kinwat, Headquarter
at Chhatrapati Sambhajinagar

...Respondents

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Mr. O. B. Boinwad, advocate for petitioners
Mr. R. S. Wani, A.G.P. for respondents

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**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATED : 09 OCTOBER 2024**

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

The petitioners, who are related by blood, *inter se*, are
challenging the common judgment and order of respondent No.2-

committee, refusing to validate their 'Mannervarlu' scheduled tribe certificates.

2. We have heard both sides finally, at the stage of admission and in view of the exigency.

3. Admittedly, the petitioners - Swapnil and Sarojana whose real sister - Rupali was held entitled to have a certificate of validity by the order of this court, in writ petition No. 9192 of 2019, dated 21.08.2019 (Principal Seat). In the light of the similar stand, as is being taken by the committee in the present matter, it was declared that the validity certificate to be issued to her, shall be subject to the final outcome of the matter which the committee had decided to undertake for recalling the certificates of validity of all the blood relatives she was relying upon.

4. In the light of above, when real sister of petitioners - Swapnil and Sarojana is having a certificate of validity, irrespective of the observations of the committee regarding the alleged fraud attributable to the earlier validity holders, petitioners will have to be treated at par.

5. The writ petition is allowed partly.
6. The impugned order is quashed and set aside.
7. The respondent - committee shall immediately issue tribe validity certificates to all three petitioners as belonging to 'Mannervarlu' scheduled tribe which shall be subject to the final outcome of the matter which the committee has decided to reopen.
8. The petitioners shall not claim equities.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL , J.)

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