



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

WRIT PETITION NO. 11515 OF 2024

1. Shravan Umakant Akulwar
2. Mahesh Satishrao Akulwar .. Petitioners

Versus

The State of Maharashtra and another .. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioners.
Shri P. S. Patil, Addl.G.P. for the Respondent Nos. 1 and 2.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 22 OCTOBER 2024.**

FINAL ORDER :

. Heard both the sides finally considering exigency in the matter.

2. The petitioners are taking exception to judgment and order dated 10.10.2024 passed by respondent No. 2/Scrutiny Committee invalidating their tribe certificates of 'Mannervarlu' scheduled tribe. They are blood relatives and relying on the validity of Umakant Hanmantrao Akulwar, Suryakant Hanmantrao Akulwar and Satish Balajirao Akulwar. Petitioner – Shravan is son of validity holder Umakant. Another petitioner – Mahesh is son of validity holder Satish.

3. Learned counsel for the petitioners submits that Satish,

Rushikesh and Suryakant who are blood relatives of the petitioners are issued with validity certificates in pursuance of distinct orders of the High Court. Those orders are placed on record. He would therefore submit that petitioners are also entitled to receive validity certificates. It is further submitted that the petitioners are ready to face the consequences as per the judgment in the matter of **Shweta Balaji Isankar Vs. The State of Maharashtra and others judgment dated 27 July 2018 in W. P. No. 5611 of 2018.**

4. Learned Additional Government Pleader supports the impugned judgment and order. He would submit that considering incompatible school record of the blood relatives as well as manipulation in the school record the Committee has proposed reverification of earlier validities. He would further submit that there is no reliable material to corroborate petitioners' claims.

5. The relationship of the petitioners with the validity holders has not been disputed. The validity holder Umakant is father of petitioner – Shravan. The validity holder Satish is father of another petitioner – Mahesh. Satish was issued with the validity certificate in pursuance of order dated 13.02.2020 passed in Writ Petition No. 2381 of 2020. Suryakant was issued with validity certificate by order dated 26.09.2018 in Writ Petition No. 10764 of 2018. Rushikesh was issued with validity certificate by High Court vide order dated 23.07.2018 in Writ Petition No. 7467 of 2018. Besides that report of vigilance enquiry in the matter of

Rushikesh was adopted by the petitioners, meaning thereby self same record has already been verified. We are of the considered view that the petitioners are entitled to receive validity certificates conditionally.

6. The respondent/Committee has proposed reverification and objectionable record, which can be dealt with during reverification. Petitioners are ready to face consequences as per judgment in the matter of **Shweta Balaji Isankar Vs. The State of Maharashtra and others** (supra). The petitioners are entitled to receive validity certificates conditionally. We, therefore, pass following order :

O R D E R

- (i) The writ petition is allowed partly.
- (ii) The impugned judgment and order dated 10.10.2024 passed by the respondent No. 2/Committee is quashed and set aside.
- (iii) The respondent No. 2/Scrutiny Committee shall issue certificates of validity to the petitioners as belonging to 'Mannervarlu' scheduled tribe immediately in prescribed proforma.
- (iv) The certificate of validity of the petitioners shall be subject to reverification of the validity certificate of the validity holder

relied by the petitioners.

(v) The petitioners shall not be entitled to claim equities.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/Oct. 24