



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11713 OF 2024

Bodhgire Prathmesh Manohar

... Petitioner

VERSUS

1. The State of Maharashtra
through its Secretary, Tribal
Development Department,
Mantralaya Mumbai – 400 032
2. Scheduled Tribe Certificate
Scrutiny Committee,
Kinwat Division, HQ: Chh. Sambhajnagar
through its Member Secretary
having its office Chhatrapati Sambhajnagar
3. State Common Entrance Test Cell
8th Floor, New Excelsior Building
A.K. Nayak Marg, Fort, Mumbai

... Respondents

...

Advocate for Petitioner : Mr. D.D. Choudhari h/f. Mr. R.K. Mendadkar
A.G.P for Respondents: Ms. P.J. Bharad
Advocate for respondent No.3 : Mr. M.D. Narwadkar

...

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

DATE : **21.10.2024**

PER COURT :

Heard both the sides finally at the stage of admission.

2. The petitioner is challenging the order of invalidation passed
by the respondent - Scrutiny Committee refusing to validate his
'Mannervarlu' scheduled tribe certificate.
3. Irrespective of the reasoning assigned by the committee, it is

abundantly clear that in Writ Petition No.5736/2021 with connected matters of blood relatives, by a common judgment and order dated 21.12.2022, Pratiksha was held entitled to have a certificate of validity subject to usual conditions. For the selfsame reason as have been recorded by a coordinate division bench, even the petitioner would be entitled to have a certificate of validity with the same conditions as have been incorporated in Pratiksha's matter.

4. The writ petition is partly allowed.

5. The impugned judgment and order dated 10.10.2024 passed by the respondent No.2 – Scrutiny Committee is quashed and set aside.

6. 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.

7. 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. The order having dictated in presence of the learned AGP and the Law Officer of the Committee, they shall immediately communicate this order to the Committee.

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

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)