



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

WRIT PETITION NO. 14166 OF 2021

AMOL VENKATRAO MARAKWAD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Shri Thorat Chandrakant R., Advocate for the Petitioner.

Shri S.R. Wakale, AGP for Respondent Nos.1 to 3/State.

...

CORAM : MANGESH S. PATIL

&

PRAFULLA S. KHUBALKAR, JJ.

DATE : 03rd December, 2024

Per Court :-

We have heard both the sides finally.

2. By the common judgment and order under challenge in this petition, the claim of the petitioner and that of his real brother Mandar seeking validation of their 'Mannervarlu', Scheduled Tribe certificate, was rejected.

3. Admittedly, Mandar had preferred a separate Writ Petition No.14276/2021. The matter was remanded back to the Scrutiny Committee for fresh adjudication. The Scrutiny Committee still dismissed his claim by the order dated 09.10.2024. It was challenged before this Court in Writ Petition

No.11363/2024. By the order dated 10.10.2024, the order of the Scrutiny Committee was quashed and set aside and he was held entitled to have a validity certificate, albeit conditional.

4. In the light of the above state of affairs, when the petitioner's real brother is found entitled to have a certificate of validity, no separate order is needed to validate the petitioner's claim.

5. The Writ Petition is allowed partly. The impugned order is quashed and set aside. The Scrutiny Committee shall immediately issue a certificate of validity to the petitioner, which shall be subject to the final outcome of the matters, which the Committee has decided to reopen in respect of other validity holders. The petitioner shall not be entitled to claim equities.

kps

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)