



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12031 OF 2024

- 1) Sneha d/o Hanumant Baste
Age 19 years, Occ. Student,
R/o. Telangwadi, Tq. Kandhar,
Dist. Nanded.
- 2) Sakshi d/o Hanumant Baste
Age 17 years, Occ. Student,
Minor U/g of her father
Hanumant s/o Jaywantrao Baste
R/o. Telangwadi, Tq. Kandhar,
Dist. Nanded.

... **Petitioners**

VERSUS

- 1) The State of Maharashtra
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai-32.
- 2) Scheduled Tribe Certificate Verification
Committee, Kinwat, Headquarter
Chhatrapati Sambhajinagar
Through its Deputy Director (Research)
and Member Secretary.

... **Respondents**

...

Advocate for Petitioners : Mr. Chandrakant R. Thorat
A.G.P. for Respondents : Mr. S.R. Yadav-Lonikar

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

DATE : **24.10.2024**

ORDER : (MANGESH S. PATIL, J.)

The petitioners, who are real sisters, are questioning sustainability of the common judgment and order of respondent no. 2-Scrutiny

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

2. We have heard both the sides finally.

3. There is no dispute about the fact that several of the individuals, claimed by the petitioners to be related to them by blood have been held entitled to have certificates of validity by the orders of this Court namely; Neha Govind Bashte (Writ Petition No. 10329/2017), Shubhangi d/o Pandurang Baste (Writ Petition No. 7500/2018), Ganesh Govind Baste (Writ Petition No. 6281/2021), Sachin Pandurang Baste (Writ Petition No. 7648/2021), Vikas Vinayak Baste (Writ Petition No. 8127/2024), Mamta Santosh Baste (Writ Petition No. 8136/2024). Apart there from, there are several other validity holders in the family referred to in the impugned order itself, who were issued with certificates of validity by the then committees, namely Govind Shankar Baste, Ashwini Govind Baste, Neha Govind Baste, Balaji Devrao Baste, Vinayak Devrao Baste.

4. Though the committee is now taking exception to these validities issued by its predecessor committees on the ground that they had practised fraud while obtaining the certificates of validity, till the time it is able to invoke that exercise and take it to the logical end successfully. The petitioners cannot be deprived of the benefit of these validities more so when it is not disputing these validity holders being related to the petitioners by blood.

5. As is submitted by the learned advocate for the petitioners, as the petitioners are ready to face the consequences as observed in *Shweta Balaji Isankar Vs. State of Maharashtra and others* (writ petition no. 6320 of 2017), there should not be any impediment in directing that even the petitioners be issued with certificates of validity.

6. In light of above, the writ petition is allowed partly.

7. Impugned judgment and order dated 21.10.2024, passed by respondent no. 2-Scrutiny Committee is quashed and set aside.

8. Respondent no. 2-Scrutiny Committee shall issue certificates of validity to petitioners of 'Mannervarlu' scheduled tribe immediately in prescribed proforma. Same shall be subject to outcome of reverification undertaken by the scrutiny committee of the earlier validity holders.

9. The petitioners shall not be entitled to claim equities.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-