



(1)

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

949 WRIT PETITION NO. 12783 OF 2023

Venkati Laxmanrao Indrod,
Age: 34 years, Occu: Service,
R/o. At post Bothi,
Tq. Umri, Dist. Nanded

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32
2. The Registrar,
Vasantrao Naik Marathwada
Krishi Vidyapeeth, Parbhani,
Dist. Parbhani
3. Deputy Director (Research)
and Member Secretary,
Scheduled Tribe Certificate
Verification Committee, Kinwat,
Headquarter Aurangabad,
Near Saint Lawrence High School,
Town Centre, CIDCO, Aurangabad
Dist. Aurangabad

....RESPONDENTS

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Mr C. R. Thorat, Advocate for petitioner
Mr M. K. Goyanka, A.G.P. for respondent Nos.1 and 3
Mr A. R. Nikam, Advocate for respondent No.2

CORAM : MANGESH S. PATIL

AND

PRAFULLA S. KHUBALKAR, JJ.

DATE : 28th November, 2024

JUDGMENT (PER : Prafulla S. Khubalkar, J.)

1. Rule. Rule made returnable forthwith and heard finally by consent of the learned Advocates for the respective sides.

2. By way of instant writ petition, the petitioner has challenged the order dated 27/09/2023, passed by respondent No.3/ Scheduled Tribe Scrutiny Committee, thereby invalidating the tribe claim of the petitioner belonging to the 'Mannervarlu' Scheduled Tribe.

3. The impugned order is a common order in the matter of three persons, namely, Shubham Yalappa Indrod, Sairaj Bhojraj Indrod and petitioner Venkati Laxmanrao Indrod. This order was a subject matter of challenge in a writ petition filed by Shubham Yalappa Endrod and Sairaj Bhojraj Indrod bearing Writ Petition Nos.13202/2023 and 13295/2023, respectively. By an elaborate order dated 23/10/2023, these two writ petitions were decided after considering the factual and legal position and the same were partly allowed. In view of the elaborate order with respect to the same, the instant petition also needs to be allowed to the extent of present petitioner. Hence, the following order :-

(3)

- (a) This writ petition is partly allowed.
- (b) The impugned order dated 27/09/2023, passed by the respondent/Scrutiny Committee is quashed and set aside, also to the extent of petitioner.
- (c) The Committee shall immediately issue a certificate of 'Mannervarlu' Scheduled Tribe to the petitioner.
- (d) The certificate of validity of the petitioner would be subject to the final outcome of the matters and the validity of Yalappa Indrod which the Committee intends to reopen.
- (e) The petitioner shall not claim any equities.

4. Rule is made partly absolute in above terms.

5. No order as to costs.

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

sjk