



(1)

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

931 WRIT PETITION NO. 12952 OF 2024

SAVITA GANGADHAR BODHANKAR

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY,
MINISTRY OF HOME AFFAIRS
2. THE SCHEDULED TRIBE CERTIFICATE VERIFICATION
COMMITTEE, KINWAT
3. THE COMMISSIONER, STATE INTELLIGENCE
DEPARTMENT, MUMBAI
4. THE ADDITIONAL DY. COMMISSIONER STATE
INTELLIGENCE DEPARTMENT, CHHATRAPATI
SAMBHAJINAGAR
5. THE SUPERINTENDENT OF POLICE, NANDED

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Mr S. M. Vibhute, Advocate for petitioner
Mr S. R. Wakale, A.G.P. for respondents/State

CORAM : MANGESH S. PATIL

AND

PRAFULLA S. KHUBALKAR, JJ.

DATE : 28th November, 2024

PER COURT:

1. The petitioner is challenging the judgment and order of respondent No.2/Scrutiny Committee, dated 22/11/224, refusing to validate her 'Mannervarlu' Scheduled Tribe certificate.

2. We have heard both the sides.

(2)

3. It is being pointed out that the order of invalidation has been passed based on vigilance enquiry conducted in common in respect of the petitioner, her real brother Sandip Gangadhar Bodhankar and their father Gangadhar Vithalrao Bodhankar. Though the Committee choose to pass separate orders in the matter of Sandip, the evidence based on which the Committee decided his claim was objectively scrutinized by this Court in the matter of Sandip who also faced the similar invalidation. By the order dated 01/11/2023 in Writ Petition No.11860/2023, for the reasons recorded therein, Sandip was held entitled to have validity certificate, albeit conditionally.

4. Since a common vigilance enquiry forms the basis for the Committee to decide even the petitioner's claim, the evidence examined by the Committee having been already scrutinized by this Court objectively, no different view can be taken.

5. In the light of selfsame reasons as have been recorded by this Court in the matter of Sandip Gangadhar Bodhankar in Writ Petition No.11860/2023 vide the order dated 01/11/2023, even this writ petition is allowed partly. The impugned order is quashed and set aside.

(3)

6. The respondent – committee shall immediately issue tribe validity certificate to the petitioner as belonging to ‘Mannervarlu’ scheduled tribe in the prescribed format without adding anything. The validity shall be subject to the final outcome of the matters which the committee has decided to re-open.

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

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

sjk