



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

WRIT PETITION NO. 13809 OF 2023

**MANGESH ASHOKRAO SIDHEWAD THROUGH
POA ASHOK NARSHINGRAO SIDHEWAD**

VERSUS

**THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER**

...

Advocate for Petitioner : Mr. Sunil Mahadevappa Vibhute

AGP for Respondents/State : Mrs. P.J. Bharad

...

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

DATE : 14 AUGUST 2024

PER COURT :

. The petitioner is challenging the order of respondent no.2/Scrutiny Committee, invalidating his Mannervarlu scheduled tribe certificate.

2. We have heard both the sides finally at the stage of admission.

3. The petitioner is seeking to derive the benefit of the validity possessed by his second degree paternal uncle – Sudhakar Sidhewad. It is also being pointed out that his sister- Sheetal has been issued with a certificate of validity. Even this Court in Writ Petition No.7377/2024 by the judgment and order dated 25.07.2024, have allowed the petitions of Aniruddha Sudhakar Sidhewad and Antara Sudhakar Sidhewad.

4. Learned advocate for the petitioner submits that the petitioner is ready to face the consequences as contemplated in **Shweta Balaji Isankar Vs. The State of Maharashtra and Others**, in Writ Petition No.5611/2018.

5. Applying the parameters laid down in the matter of **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and Ors.**, 2023 SCC Online SC 326, when this Court in the matter of Aniruddha and Antara has expressly observed that Sudhakar was granted validity by following due process of law, a vigilance inquiry was conducted and by a reasoned order, the petitioner is entitled to have a certificate of validity, irrespective of the other observations of the Committee in the impugned order, demonstrating the circumstances indicating about Sudhakar having practiced fraud.

6. The writ petition is allowed partly. The impugned order dated 18.10.2023 is quashed and set aside. The Committee shall issue certificate of validity of Mannervarlu scheduled tribe to the petitioner immediately. The same would be subject to the final outcome of Sudhakar's matter which the Committee had decided to reopen.

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

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]