



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

942 WRIT PETITION NO.1227 OF 2024

ANKITA ARVIND TADEWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

943 WRIT PETITION NO.1228 OF 2024

YASHRAJ RAMESH TADEWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

944 WRIT PETITION NO.1238 OF 2024

RADHIKA RAMESH TADEWAD U/G RAMESH TADEWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

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Mr. U. P. Giri, Advocate for the Petitioners in all the writ petitions.
Mr. P. S. Patil, AGP for Respondent Nos.1 to 3 – State in all the writ
petitions.

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CORAM : MANGESH S. PATIL AND
SHAILESH P BRAHME, JJ.

DATE : 12 JUNE 2024

ORDER :-

Heard.

2. By these separate writ petitions, the petitioners are impugning the common judgment and order passed by the respondent No.2 – Scrutiny Committee invalidating their Scheduled Tribe Certificate of

Mannervarlu.

3. It is a matter of record that petitioner Anushka's real sister Ankita has been directed to be issued certificate of validity by the order of this Court in Writ Petition No.578 of 2022 dated 25 January 2020.

4. As per the genealogy furnished by petitioner Anushka, the other two petitioners are her distant cousins. The genealogy demonstrates that one Hasaji Tadewad was the common ancestor, who was survived by Kondaba and Kamaji. Petitioner Anushka is in the branch of Kondaba, whereas the other two petitioners are from the branch of Kamaji.

5. As was the state of affairs in the matter of Anushka (Supra), original sale deed of 1354 Fasli was the oldest document before the Scrutiny Committee. Though its translation was not obtained by the Vigilance Officer in that matter, its translation is available in the present matter, wherein the petitioner's ancestor Govinda Kondaba has been described as Mannervarlu. That was the reason based on which this Court had directed certificate of validity to be issued to Anushka, albeit it was a conditional one.

6. We follow the same course. For the selfsame reasons, we allow the writ petition.

7. The impugned order is quashed and set aside.
8. The respondent No.2 – Scrutiny Committee shall issue certificates of validity to the respective petitioners immediately. Their validity would be subject to the final outcome of the matters, which the Committee has decided to re-open in respect of the validity holders.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

scm