



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

941 WRIT PETITION NO. 1338 OF 2024

SUNIL DIGAMBAR TADEWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND  
OTHERS

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Advocate for the Petitioner : Mr. Giri Umakant P

AGP for Respondent nos. 1 to 3 : Mr. P. S. Patil

...

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

DATE : 13.06.2024

PER COURT :

Heard.

2. The petitioner is impugning the common judgment and order passed by the respondent No.2 – Scrutiny Committee invalidating his Scheduled Tribe Certificate of Mannervarlu.

3. It is a matter of record that petitioner's cousin Anushka 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 is his distant cousin. The genealogy demonstrates that one Hasaji Tadewad was the common ancestor, who was survived by Kondaba and Kamaji. Petitioner is in the branch of Kondaba.

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 grandfather Govinda Kondba 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 certificate of validity to the petitioner immediately. His 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, J.)

(MANGESH S. PATIL, J.)

mkd/-