



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.42 OF 2025

LAXMAN GANGADHAR PUPULWAD

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY HOME
MINISTRY DEPARTMENT, MANTRALAYA MUMBAI
2. THE SCHEDULED TRIBE CASTE CERTIFICATE VERIFICATION
COMMITTEE KINWAT, HEAD QUARTER AT AURANGABAD THROUGH
ITS DY. DIRECTOR (R) AT AURANGABAD
3. THE SECRETARY FINANCE DEPARTMENT, STATE OF MAHARASHTRA
MANTRALAYA, MUMBAI
4. THE DESK OFFICER, HOME DEPARTMENT, SECOND FLOOR,
MANTRALAYA, MADAM CAMA ROAD, HUTATMA RAJGURU CHOWK,
MUMBAI

...

Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents: Mrs. P.J. Bharad

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 03.01.2025

PER COURT:

The petitioner is taking exception to the judgment and order of the respondent – Scrutiny Committee dated 13.12.2024 refusing to validate his ‘Mannervarlu’ scheduled tribe certificate.

2. Issue notice to the respondents. Learned AGP waives service for all the respondents.
3. With the consent, the matter is heard finally today itself.
4. The learned advocate for the petitioner points out that in

writ petition No.12016/2023 petitioner's real brother Jayprakash Gangadhar Pupulwad who had faced a similar invalidation and had challenged a similar order it was quashed and set aside by the order of this Court on 10.10.2023. Though the Committee has passed separate orders in the matter of Jayprakash and the petitioner, the material collected during the vigilance inquiry and referred to and relied upon by the Committee is almost the same. The reasons assigned by the Committee are also the same. He submits that like Jayprakash even the petitioner is ready to face the consequences contemplated in **Shweta Balaji Isankar Vs. State of Maharashtra and Ors.; WP No.6320/2017** and **Chairman and Managing Director, Food Corporation of India and Ors. Vs. Jagdish Balaram Bahira and Ors.; (2017) 8 SCC 670**. The petition may be allowed.

5. Learned AGP, on instructions, admits the fact that the evidence before the Committee as discussed in the impugned judgment and order in the present matter is the same as was before the Committee in the matter of Jayprakash. Even we have been able to compare the orders of the Committee in both the matters since the order passed in the matter of Jayprakash by the Committee has been placed on record at **Exhibit – A**.

6. Since it is a matter of tribe claim and a social status, when petitioner's real brother Jayprakash has been held entitled to have a certificate of validity based on almost the same set of evidence, any fresh

inquiry into the same evidence stands obviated.

7. Since the petitioner is ready to run the risk of facing the consequences contemplated in **Shweta Balaji Isankar and Chairman and Managing Director, Food Corporation of India (supra)**, he cannot be treated differently.

8. The writ petition is allowed partly.

9. The impugned judgment and order is quashed and set aside. The Committee shall immediately issue tribe validity certificate to the petitioner of 'Mannervarlu' scheduled tribe certificate, which shall be subject to the final outcome of the matters which the Committee has decided to reopen in respect of the validities granted to the petitioner's blood relatives.

10. The petitioner shall not be entitled to claim any equities.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

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