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

27 WRIT PETITION NO. 69 OF 2025

Suryakant Jalba Bondle

VERSUS

1. The State of Maharashtra,
Thr. its Secretary,
Tribal Development Department,
Mumbai
2. The Scheduled Tribe Certificate
Verification Committee, Kinwat,
at Aurangabad
3. The Chief Executive Officer,
Zilla Parishad, Nanded
4. The Deputy Chief Executive Officer,
(General Administration),
Zilla Parishad, Nanded

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Mr S. M. Vibhute, Advocate for petitioner

Mr S. R. Wakale, A.G.P. for respondent Nos.1 & 2

Mr S. B. Pulkundwar, Advocate for respondent Nos.3 & 4

AND

35 WRIT PETITION NO. 82 OF 2025

Nagnath Balwant Bondle

VERSUS

1. The State of Maharashtra,
Thr. its Secretary,
Tribal Development Department,
Mumbai

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2. The Scheduled Tribe Certificate
Verification Committee, Kinwat,
at Aurangabad
3. The Registrar,
Vasantrao Naik Marathwada Krishi
Vidyapeeth, Parbhani

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Mr S. M. Vibhute, Advocate for petitioner

Mr R. K. Ingole, A.G.P. for respondent Nos.1 & 2

AND

36 WRIT PETITION NO. 83 OF 2025

Vikas Manohar Bondle

VERSUS

1. The State of Maharashtra,
Thr. its Secretary,
Tribal Development Department,
Mumbai
2. The Scheduled Tribe Certificate
Verification Committee, Kinwat,
at Aurangabad
3. The Collector, Raigadh

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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 : 6th January, 2025

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PER COURT:

1. Heard the learned advocate for the petitioners in all these writ petitions, who are taking exception to the common judgment and order dated 22/11/2024 passed by the respondent No.2/scrutiny committee in a proceeding under Section 7 of the Maharashtra Act No. XXIII of 2001, thereby refusing to validate their 'Mannervarlu' Scheduled Tribe certificates.

2. The learned advocate for the petitioners points out that the vigilance enquiry was conducted and petitioner in Writ Petition No.69/2025 namely, Suryakant's daughter Sneha was permitted to adopt the reply filed by her father to the vigilance enquiry report. Though her claim was decided independently and she was refused certificate of validity, she had challenged the said order in Writ Petition No.9833/2023 and by the judgment and order dated 09/08/2023, this Court, for the reasons recorded therein, had held her entitled to have certificate of validity subject to usual conditions and inter alia noticing that her cousin Madhura Nagesh Bondle had obtained the certificate of validity pursuant to the order of this Court in Writ Petition No.71/2022 and there were several other validity holders

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in the blood relation. He submits that, in the light of above, even all these petitions deserve to be allowed in similar manner.

3. The learned A.G.P., on instructions, submits that there is no dispute on the facts to the extent mentioned herein above by the learned advocate for the petitioners.

4. Since it is a matter of social status to be decided on the set of evidence by resorting to the vigilance enquiry, as is observed above, when petitioner Suryakant's daughter Sneha was allowed to adopt the reply filed by these petitioners to the vigilance enquiry report and subsequently has successfully challenged the order of invalidation in her matter, the same set of evidence cannot be re-scrutinized by taking some different view incompatible with the decision in the matter of Sneha.

5. For the same reason as this Court has recorded in the matter of Sneha in Writ Petition No.9833/2023, all these writ petitions are allowed partly. The impugned order is quashed and set aside. The respondent No.2/scrutiny committee shall immediately issue certificates of validity to each of these petitioners as belonging to the 'Mannervarlu' scheduled tribe category in the prescribed format. The

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validity shall be subject to the final outcome of the matters of the validity holders which the committee has decided to re-open.

6. The petitioners shall not be entitled to claim any equities.

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

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