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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

46 WRIT PETITION NO. 943 OF 2025

SHRADHA NARSING SUNKAWAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

Mr.S.M.Vibhute, Advocate for the petitioners.
Mr.S.V.Hange, AGP for the respondent/State.

(CORAM : MANGESH S. PATIL AND
PRAFULLA S. KHUBALKAR, JJ.)

DATE : JANUARY 20, 2025

PER COURT :

1. Heard both the sides finally.
2. The petitioners are taking an exception to a common judgment and order dated 12.11.2024 whereby the respondent / Scrutiny Committee refused to validate their 'Mannervarlu' Scheduled Tribe certificate.
3. Pertinently, a common vigilance enquiry was conducted in the matters of these petitioners and the real brother of petitioner No.1 Shravan Narsing Sunkawar. His matter was decided by the Committee

separately. A similar invalidation was challenged by him in WP No.9443/2024. By the order dated 02.09.2024, the judgment and order of the Committee in his matter was quashed and set aside.

4. It is thus apparent that the evidence which form the basis for undertaking scrutiny of the individual claims of these petitioners as also Shravan, is the same enquired into by the same vigilance enquiry. Since Shravan has been held to be entitled to a certificate of validity by undertaking a scrutiny of the evidence before the Committee, the self same evidence cannot be subjected to a fresh scrutiny much less to an inconsistent consequence.

5. For the reasons as have been recorded by this Court in the matter of Shravan Narsing Sunkawar, even this petition is allowed partly. The impugned judgment and order is quashed and set aside. The Committee shall issue certificate of validity to the petitioners of 'Mannervalu' Scheduled Tribe, which shall be coterminous with the validity of Narsing Sunkawar.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)