



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 WRIT PETITION NO. 1228 OF 2025

GAJANAN SUDHAKAR LAINEWAR

VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER

...

Advocate for the Petitioner : Mr.Boinwad Omgashad B.

AGP for Respondent/State : Mr.P.S. Patil

...

CORAM : R.G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.

DATE : 18.09.2025

PER COURT :

. Heard.

2. The petitioner claims to have belonged to '*Mannvervarlu*' Scheduled Tribe. The Scrutiny Committee has refused to grant validity to the petitioner's tribe certificate and he is, therefore, before us.

3. Learned Advocate for the petitioner mainly relies on the validity certificates issued in favour of the petitioner's real brother and sisters. He also relies on an entry in the school record of the year 1966. According to him, the Scrutiny Committee ought not to have considered the subsequent school record wherein some interpolation appears. He would further submit that at least, the petitioner be granted a conditional validity certificate.

4. The learned A.G.P would on the other hand submit that the vigilance officer had not paid visit to the school to verify the school entry of the year 1966. Secondary school entry indicates some interpolations therein. According to him, the petitioner did not have any document of pre-constitutional era which carries strong presumptive value, to buttress his claim. He, therefore, urge for dismissal of the writ petition.

5. We have perused the order impugned herein. Admittedly, the real brother and sister of the petitioner have been granted validity certificates. True, their cases have now been reopened. They are alleged to have not been co-operating with the scrutiny committee. The fact is that the oldest record of the year 1966 indicate the petitioner's father to have belonged to 'Mannvevarlu' Scheduled Tribe. It was his primary school record. In the secondary school record, there appears to be some overwriting. Learned A.G.P, however, also could not point out nature of overwriting and what was the oldest entry which was sought to be erased. The fact remains that the oldest entry of year 1966, supports the claim of the petitioner. Moreover, the petitioner's real brother and sister do hold validity certificates. In this factual backdrop, we are inclined to grant the petitioner, conditional validity certificates. Thus, the Writ Petition stands disposed in following terms :

ORDER

- i) Writ Petition is allowed.
- ii) The impugned Judgment and order dated

07.01.2025 passed by the Respondent No.2/Scrutiny Committee invaliding the Tribe Claim of the petitioner as "Mannvervarlu" Scheduled Tribe is set aside.

iii) The Respondent No.2/Scrutiny Committee is directed to issue to the petitioner validity certificate belonging to 'Mannvervarlu' Scheduled Tribe.

iv) The validity certificate issued to the petitioner shall be coterminous with the validity certificates issued to his brother and sister.

v) The petitioner shall not claim any equity.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

vsj..