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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3894 OF 2021

Ramdas Dattatray Machanwad,
Age-34 years, Occu-Service,
R/o Chandola, Tq.Mukhed,
Dist.Nanded

-- PETITIONER

VERSUS

1. Scheduled Tribe Certificate
Scrutiny Committee,
Aurangabad Region, Aurangabad.
Plot No.10, E-9,
Opposite Cidco Bus Stand,
Town Center
Aurangabad, Dist.Aurangabad
Through its Member Secretary

2. Zilla Parishad,
Palghar, Tq. And Dist.Palghar
Through its Chief Executive Officer,

3. Panchayat Samittee,
Talasari, Tq.Talasari,
Dist.Palghar,
Through its Block Education Officer

-- RESPONDENTS

Mr.S.S.Phatale, Advocate for the petitioner.
Mr.R.K.Ingole, AGP for respondent No.1.
Mr.S.R.Dheple, Advocate for respondent No.3.

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

DATE : JANUARY 10, 2025

ORAL JUDGMENT : (Per Prafulla S.Khubalkar, J.)

1. Heard. Rule. Rule made returnable forthwith and heard finally by the consent of the parties.

2. The petitioner has challenged the order dated 17.11.2020 passed by respondent No.1 / Scrutiny Committee invalidating the petitioner's caste claim for 'Mannervarlu' Scheduled Tribe.

3. The impugned order is a common order in the matter of Akash Venkatrao Machanwad and the petitioner. The learned Advocate for the petitioner has invited our attention to an order dated 20.11.2020 passed by this Court in WP Stamp No.21476/2020 in the matter of Akash Venkatrao Machanwad Vs. Director of Medical Education and Research, Maharashtra State and others, in which the same order was subject matter of challenge and the impugned order to the extent of the petitioner Akash was quashed and set aside by relying upon another order dated 18.07.2018 in WP No.7611/2018 in the matter of Akshay who is real brother of Akash.

4. Since the impugned order was subject matter of scrutiny in

writ petition filed by Akash Machanwad, who is undisputedly related with the petitioner as observed by the Scrutiny Committee in the impugned order, this writ petition also needs to be allowed on the same lines. Hence we pass the following order :-

[a] The impugned order dated 17.11.2020 passed by the Scrutiny Committee is quashed and set aside to the extent of the petitioner.

[b] Respondent No.2 / Scrutiny Committee is directed to immediately issue validity certificate of 'Mannervarlu' Scheduled Tribe in favour of the petitioner in the prescribed format without adding anything. The validity shall be subject to the final outcome of the matters which the Committee has decided to re-open.

[c] The petitioner shall not be entitled to claim equities.

5. Rule made absolute in the above terms.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)