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

904 WRIT PETITION NO. 3068 OF 2025

MEERA NARHARI SIRSEWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

....

Mr C. R. Thorat, Advocate for petitioner

Ms S. S. Joshi, A.G.P. for respondent Nos.1 & 3

AND

907 WRIT PETITION NO. 3071 OF 2025

MANIK KISHANRAO SIRSEWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

....

Mr C. R. Thorat, Advocate for petitioner

Mr R. K. Ingole, A.G.P. for respondents/State

AND

908 WRIT PETITION NO. 3072 OF 2025

RAMJI BAPURAO SIRSEWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

....

Mr C. R. Thorat, Advocate for petitioner

Mr A. V. Lavte, A.G.P. for respondents/State

AND

913 WRIT PETITION NO. 3077 OF 2025

GAJANAN BHAGWANRAO SIRSEWAD

(2)

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

...

Mr C. R. Thorat, Advocate for petitioner

Mr V. M. Kagne, A.G.P. for respondents/State

CORAM : MANGESH S. PATIL

AND

PRAFULLA S. KHUBALKAR, JJ.

DATE : 4th March, 2025

PER COURT:

1. The petitioners in all these four writ petitions are challenging the common judgment and order dated 25/02/2025 whereby respondent/Scrutiny Committee has refused to validate their 'Mannervarlu' scheduled tribe certificates in a proceeding under Section 7 of the Maharashtra Act No.XXIII of 2001.

2. Issue notice for final disposal only to the respondent/State and respondent/Scrutiny Committee in respective petitions, returnable forthwith. Learned A.G.Ps. waives service of notice on behalf of both the respondents in respective petitions.

3. We have heard both the sides finally.

4. Learned advocate for the petitioners points out that a common vigilance enquiry was conducted and a report was submitted

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on 23/02/2022 in respect of five individuals including petitioner Ramji, Gajanan and one Omprakash Sirsewad. He submits that same set of evidence has been scrutinized by the committee while invalidating Omprakash's claim by a separate judgment and order dated 25/04/2024 (Exhibit 'X'). On his challenge to that judgment and order in Writ Petition No7444/2024, this Court has allowed the writ petition partly by the order dated 18/07/2024 and has held him entitled to have a certificate of validity co-terminus with the validity of other blood relatives which the committee has decided to reopen. He submits that since the impugned judgment and order undertakes scrutiny of the same evidence, even the petitioners are entitled to have a similar conditional validity. They are also ready to suffer the consequences as spelt out by the Division Bench at the Principal Seat in the matter of **Shweta Balaji Isankar vs. The State of Maharashtra and others, [2018 SCC OnLine Bom 10363]** (Writ Petition No.5611/2018).

5. The learned A.G.P. submits that judgment speaks about relationship with Omprakash inasmuch as the committee had chosen to have the common vigilance enquiry of some of the petitioners and that of Omprakash Sirsewad.

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6. The aforementioned facts and circumstances clearly demonstrate that the same set of evidence has been a subject matter of scrutiny of the committee in the matter of Omprakash Sirsewad as well as the present petitioners, albeit, the committee has passed separate orders. The propriety demands that if same set of evidence was a subject matter before this Court in writ petition filed by Omprakash Sirsewad and he was held entitled to have a conditional validity, the petitioners are entitled to have certificates of validity on same conditions.

7. These writ petitions are allowed partly. The impugned order is quashed and set aside. Respondent/Scrutiny Committee shall immediately issue tribe validity certificates to the petitioners of 'Mannervarlu' scheduled tribe in the prescribed format. The validities shall be subject to the final outcome of the matters which the committee has decided to re-open.

8. The petitioners shall not be entitled to claim equities.

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

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