



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

WRIT PETITION NO. 4300 OF 2022

HANMANT BABANNA MALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Mr. Om D. Totawad holding for
Mr. Chandrakant R. Thorat
AGP for Respondents No.1 and 5 : Mr. S. S. Dande
Advocate for Respondents No.3 and 4 : Mr. Avinash R. Salve
...

**CORAM : S. G. MEHARE &
SHAILESH P. BRAHME, JJ.**

DATE : 10-01-2025

PER COURT:-

1. Heard both sides finally considering exigency in the matter.
2. The petitioner is challenging the impugned judgment and order dated 24.01.2022 rejecting his tribe claim by invalidation of the tribe certificate.
3. The learned counsel for the petitioner tenders on record judgment and order passed by the Co-ordinate Bench in Writ Petition No.4378 of 2022 (*Rajat Hanumant Mali vs. The State of Maharashtra*), dated 12.09.2023.
4. The present petitioner and Rajat are father and son and the impugned order, their tribe claims were rejected. By the reasoned

order, the Co-ordinate Bench allowed writ petition and granted conditional validity. It is pertinent to note that one of the members of the present bench was also the member of the Co-ordinate Bench, who passed order in favour of the petitioner's son.

5. In view of the above circumstances, it is needless to mention that the same record has already suffered scrutiny in favour of the petitioner and his son. We propose to adopt the same reasons and course. We, therefore, allow the writ petition. Hence, the order:-

ORDER

- (i) The writ petition is partly allowed.
- (ii) The impugned judgment and order dated 24.01.2022 passed by the respondent No.5 / Scheduled Tribe Certificate Verification Committee, Kinwat, Headquarter Aurangabad, is quashed and set aside.
- (iii) The Committee shall immediately issue tribe validity certificate to the petitioner as belonging to 'Mannervarlu' scheduled tribe, which shall be subject to the decision to be taken by the Committee in the matters which it intends to reopen in respect of the validity holders.
- (iv) The certificate of validity shall be issued in the prescribed format without incorporating other conditions/additions.
- (v) The petitioner shall not be entitled to claim equities.

[SHAILESH P. BRAHME]
JUDGE

[S. G. MEHARE]
JUDGE