



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 WRIT PETITION NO. 3485 OF 2025

DHRUPATTA LAXMAN KASBEWAD ALIAS DHRUPATTA SHIVRAJ ADMAWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondents: Mr. R.K. Ingole

...
937 WRIT PETITION NO. 3519 OF 2025

SAHEBRAO VENKATRAO KASBEWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondents: Mr. R.K. Ingole

...
CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 13.03.2025

PER COURT :

Heard both the sides.

2. The petitioners are challenging a common judgment and order of the respondent scrutiny committee dated 05.03.2025, refusing to validate their 'Mannervarlu' scheduled tribe certificates.
3. Issue notice to respondent nos. 1 and 4.
4. The learned A.G.P waives service for respondent nos. 1 and 4.
5. With the consent of both the sides, we have heard the matter finally.
6. The impugned judgment is a common judgment in the matter of these petitioners and one Gajanan Narayan Kasbewad.

7. The vigilance enquiry which was conducted in common in respect of these two petitioners and that Gajanan on 31.12.2020. Akshay Devidas Kasbewad a blood relation of the petitioners was permitted to adopt that reply and based on this vigilance enquiry report, his claim was decided by the committee and in fact it was rejected on 03.09.2024. On a challenge by him in Writ Petition No 9686/2024, by the order dated 05.09.2024, the petition was allowed and he (Akshay) was held entitled to have a certificate of validity co-terminus with the validity of few others relied upon by him.

8. The aforementioned circumstances are indicative of the fact that the evidence that has been referred to by the committee while rejecting the petitioners proposals had undergone objective scrutiny of this Court in the matter of Akshay and still he was held entitled to have a certificate of validity.

9. If the same set of evidence having been undertaken scrutiny by this Court to reach a conclusion, no different conclusion is permissible.

9. For the reasons recorded by this Court in the matter of Akshay these petitions are allowed partly. The impugned judgment and order is quashed and set aside to the extent of these two petitioners. The committee shall issue them certificates of validity of 'Mannervarlu' scheduled tribe, which shall be co-terminus with the validities to which the committee has expressly declared that it would be reopening the case for recalling it.

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

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

mkd/-