



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 WRIT PETITION NO. 4395 OF 2025

GANGARAM MALANNA GOVINDWAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...
AND

924 WRIT PETITION NO. 4396 OF 2025

CHANDRAKANT HANMANT GOVINDWAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...
AND

931 WRIT PETITION NO. 4409 OF 2025

SHUBHAM CHANDRAKANT GOVINDWAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER

...

- **Mr. Thorat Chandrakant R.**, Advocate for the Petitioner in all Writ Petitions.
- **Ms. P. J. Bharad**, Ms. S. S. Joshi, Ms. D. S. Jape, AGPs for Respondents/State in respective Writ Petitions.
- **Ms. Yogita Thorat**, Advocate for Respondent No. 3 in Writ Petition No. 4396 of 2025

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

DATE : 02.04.2025

PER COURT :

. Heard.

2. By way of these separate writ petitions, the petitioners are challenging the common judgment and order whereby the respondent – the Scrutiny Committee has refused to validate their ‘*Mannervarlū*’ scheduled tribe certificates.

3. Issue notice. Learned AGPs waive service of notice for respondent Nos. 1 to 3 in WP No. 4395/2025, for respondent Nos. 1 and 4 in WP No. 4396/2025 and for respondent Nos. 1 and 2 in WP No. 4409/2025. Ms. Thorat waives service for respondent No. 3 in WP No. 4396/2025.

4. At the joint request, the matters are being disposed of today itself for the peculiar facts and circumstances which we shall be discussed hereinafter.

5. The petitioners’ tribe claim have been decided by referring to and taking aid of the vigilance enquiry conducted in the matter of petitioners – *Chandrakant* and *Gangaram*.

6. It was a common vigilance enquiry in the matter of these two petitioner and one *Akhilesh Balajirao Govindwad* and *Anusha Balajirao Govindwad*. *Akhilesh* and *Anusha* faced invalidation pursuant to the order of the committee which has been subsequently on challenging put up by them has been quashed and set aside in writ petition No. 1287 of 2022, decided on 27.01.2022.

7. The very fact that the common set of evidence available to the scrutiny committee in the matter of these petitioners as also *Akhilesh* and *Anusha* being the same, it would not be appropriate for this division bench to undertake a fresh scrutiny of the same set of evidence which is already a subject matter for another division bench which considered the claims of the *Akhilesh* and *Anusha*.

8. For the selfsame reasons as have been recorded in the matter of *Akhilesh* and *Anusha*, these petitions are allowed. The impugned order is quashed and set aside to the extent of these three petitioners. The committee shall issue certificates of validity to each of these petitioners of '*Mannervarlu*' scheduled tribe, which shall be coterminous with the validities which the committee has decided to re-open on the ground of alleged fraud.

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

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

jhs/