



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

53 WRIT PETITION NO. 4650 OF 2025

RAMESH HANUMANDLU LOLPOD

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS

....

Mr. C. R. Thorat, Advocate for the Petitioner

Ms S. S. Joshi, AGP for Respondent Nos. 1 and 5

Dr. Kalpalata Patil Bharaswadkar, Advocate for Respondent Nos.2
to 4

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

DATE : 05.05.2025

PER COURT :-

. The petitioner is taking exception to the judgment and order of the respondent No.5 scrutiny committee constituted under the Maharashtra Act No.XXIII of 2001 dated 26.03.2025, refusing to validate his 'Mannervarlu' scheduled caste certificate.

2. We have heard the learned advocate for the petitioner and the learned AGP, so also the learned advocate for respondent Nos. 2 to 4.

3. The parties are unanimous that without resorting to a separate vigilance inquiry, the committee has proceeded to decide the petitioner's claim by resorting to the vigilance cell report in the matter of his blood relative and niece Anuja Gangareddy Lolapod, as mentioned in paragraph No.4 of the impugned order. Meaning thereby that the evidence collected and verified through the vigilance cell inquiry conducted in the matter of Anuja, is the subject matter of scrutiny by the committee while arriving at the impugned conclusion. On the same set of evidence, the committee had arrived at a similar conclusion and had discarded a similar claim of Anuja by the order dated 01.11.2020. On her challenge to the judgment of the committee in Writ Petition No.8202 of 2020, a coordinate division bench of this court by order dated 29.09.2023, quashed and set aside the committee's order and held her entitled to have a certificate of validity.

4. Since evidence before the committee and before this Court in both these matters is the same, for the reasons recorded by the division bench in Anuja's matter, the writ petition is allowed partly and the impugned order is quashed and set aside.

5. The committee shall issue a certificate of validity to the petitioner of 'Mannervarlu' scheduled tribe, immediately. The certificate shall be valid, subject to the inquiry into the validities being undertaken by the committee in respect of the blood relatives which is alleged to have been obtained by practicing fraud.

6. Petitioner shall not be entitled to claim equities.

[Y. G. KHOBRAGADE, J.]

[MANGESH S. PATIL, J.]

SMS