



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4863 OF 2025

SAURABH VENKATRAO GANDAPWAD

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY TRIBAL DEVELOPMENT DEPARTMENT, MANTRALAYA, MUMBAI – 32
2. SCHEDULED TRIBE CERTIFICATE VERIFICATION COMMITTEE, KINWAT, HEADQUARTER CHHATRAPATI SAMBHAJINAGAR, DIST. CHHATRAPATI SAMBHAJINAGAR, THR. ITS DEPUTY DIRECTOR (R), AND MEMBER SECRETARY

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Advocate for the Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondents: Ms. M.L. Sangeet

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 09.04.2025

PER COURT:

Heard.

2. The petitioner is challenging the order of invalidation.
3. Issue notice to the respondents, returnable forthwith.
Learned AGP waives service for both respondents.
4. We have heard both the sides finally at the stage of admission.
5. One Shravani Baburao Gandapwad and Sakshi Madhav Gandapwad were seeking certificates of validity. A common vigilance

inquiry was conducted and culminated in the form of report dated 05.09.2022 (**Exhibit-N**). Their claims were rejected by the Committee by the order dated 19.07.2023. On their challenge, by a common judgment and order dated 08.08.2023 passed in their respective writ petitions No.9362/2023 and 9380/2023, they were held entitled to have certificates of validity.

6. For the reasons best known to the Committee, perhaps since the Committee was of the firm view that the petitioner is related to Sakshi and Shravani by blood from the paternal side, the vigilance inquiry report in their matter was served to the petitioner calling upon his explanation and on that basis the Committee has passed the impugned order refusing to his tribe claim. Since a common set of evidence is a subject matter before the Committee while deciding Sakshi and Shravani's matter and even the claim of the petitioner, when this Court has already embarked upon and has held after objective scrutiny of the evidence that the two girls are entitled to have certificates of validity, for the self same reasons even the petitioner would be entitled to have it.

7. For the reasons recorded in writ petition Nos.9362/2023 and 9380/2023, the writ petition is partly allowed. The impugned order is quashed and set aside. The Committee shall immediately issue tribe validity certificate to the petitioner as belonging to 'Mannervarlu' scheduled tribe.

8. It shall be subject to the decision/outcome in the matters to

be reopened by the Committee of the validity holders.

9. The certificates of validity shall be issued in the prescribed format without incorporating other conditions/additions.

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

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

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