



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

949 WRIT PETITION NO. 5344 OF 2025

DATTA SAMBHAJI JAWADWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND
952 WRIT PETITION NO. 5347 OF 2025

SURESH DATTATRAY JAWADWAD
VERSUS
THE STATE OF MAHARASHTRA
THROUGH SECRETARY AND OTHERS

...

- Mr. Sunil Mahadevappa Vibhute, Advocate for the Petitioners in both writ petitions
- Mr. S. R. Wakale, AGP for Respondents/State in both writ petitions

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

DATE : 23.04.2025

PER COURT :

- . Leave granted to delete respondent Nos. 3 and 4 in writ petition No. 5347 of 2025
2. Heard.
3. Issue notice. Learned AGP waives service for respondents.

4. The petitioners by way of these separate writ petitions are putting up a challenge to the common judgment and order of the scrutiny committee, dated 07.04.2025, in a proceeding under Section 7 of the Maharashtra Act No. XXIII of 2001, thereby refusing to validate their '*Mannervarlu*' scheduled tribe certificates.

5. The petitioners' claim have been decided based on a vigilance enquiry report dated 12.10.2020. In fact a common vigilance enquiry was conducted in the matter of these two petitioners and *Akash Ganesh Jawadwad*. For the reasons best known to the committee, it has chosen to pass separate order in the matter of *Akash* and had kept back the petitioners' claims. Be that as it may, having faced a similar order of invalidation, *Akash* was before this Court in writ petition (ST) No. 21463 of 2020. By the order dated 20.11.2020 (**Exhibit – 'G'**), this Court, by quashing and setting aside the order of the committee , held him entitled to have a certificate of validity.

6. These peculiar facts and circumstances are enough to demonstrate that the claims of all the three individuals i.e. the petitioners and *Akash* have been decided, based on the same vigilance enquiry report. If already *Akash* has been held entitled to have a certificate of validity by a coordinate division bench of this

Court, we are bound by the conclusion rejected at by a coordinate division bench.

7. For the reasons mentioned in the matter of *Akash*, the writ petitions are allowed partly. The impugned order is quashed and set aside. The committee shall issue certificates of validity to these petitioners, which shall be coterminous with the validity holders certificates which the committee has sought to recall on the ground of alleged fraud.

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

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

jhs/