



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 WRIT PETITION NO. 5979 OF 2025

LAXMAN SHANKARRAO AKULWAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

926 WRIT PETITION NO. 5981 OF 2025

ANIL SHANKARRAO AKULWAR
THROUGH POA LAXMAN SHANKARRAO AKULWAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

- Mr. Sunil Mahadevappa Vibhute, Advocate for the Petitioner 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 : 06.05.2025

PER COURT :

. Leave granted to delete respondent Nos. 3 to 5 in Writ Petition No. 5979 of 2025 and respondent Nos. 3 and 4 in Writ Petition No. 5981 of 2025. Amendment to be carried out forthwith.

2. Heard.

3. The petitioners by way of these separate Writ Petitions are challenging the common judgment and order of the respondent No. 2 – the Scrutiny Committee dated 30.04.2025, whereby it has refused to validate their '*Mannervarlu*' scheduled tribe certificates.

4. Issue notice. The learned AGP waives service for both respondents in both the matters.

5. The impugned order is based on a common vigilance enquiry report No. 503 of 2010, which was conducted in the matter of four other individuals apart from these two petitioners. All these other four individuals namely *Satish Balajirao Akulwar*, *Megha Satish Akulwar*, *Gangadhar Ramkishan Akulwar* and *Mahesh Satishrao Akulwar* had faced orders of invalidation, albeit passed separately. In their respective writ petitions, the orders of the committee which were based on the same set of evidence were quashed and set aside by the division bench of this Court in Writ Petition No. 13968 of 2024, Writ Petition No. 13971 of 2024 and Writ Petition No. 11515 of 2024 respectively.

6. It is a matter of verification of a tribe claim, when the committee has chosen to decide the tribe claim of all these six individuals by resorting to a common vigilance enquiry and there is a common report, once the division bench of this Court has quashed and set aside similar orders which are based on the same set of evidence, we need not record rather should avoid recording any other observations much less incompatible with the decisions.

7. For the selfsame reasons as have been recorded by the division bench in the other three writ petitions, both the petitions are allowed. The impugned judgment and order is quashed and set aside. The committee shall issue certificates of validity to both petitioners, which shall be subject to the final outcome of the matters which the committee has decided to reopen.

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

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

jhs/