

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

901 WRIT PETITION NO.10942 OF 2022

Baloji Suryabhan Pupulwad

....Petitioner

Versus

The State of Maharashtra
Through Its Secretary And Another

.....Respondents

.....
Shri. Chandrakant R. Thorat, Advocate for the Petitioner
Shri. A. R. Kale, Addl. G. P for the Respondent / State.

CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.

Dated : JULY 10, 2025

PER COURT :-

. Heard finally with consent of both the sides at the admission stage.

2. Challenge in this Writ Petition under Article 226 of the Constitution of India is the order dated 26.08.2022 passed by the Respondent No.2 - Committee, invalidating the tribe claim of the Petitioner towards the 'Mannervarlu' Scheduled Tribe.

3. It is submitted by the learned Advocate for the Petitioner that, several blood relatives of the Petitioner are granted validity certificates by the Respondent No.2 – Committee and by the Orders of this Court in various Writ Petitions. He submits that, there is no dispute in respect of genealogy which was submitted to Respondent No.2 – Committee. He

submits that the validity holders, whose tribe claims were rejected on the similar grounds, on which, the tribe claim of the Petitioner is invalidated, had approached this Court by filing Writ Petition Nos.12016 of 2023, 42 of 2025 and 732 of 2025, wherein this Court had passed the orders granting conditional validities to the Petitioners therein. He submits that, similar order may be passed in this Writ Petition.

4. Learned Addl. G. P. submits that, the first validity holder in the family of the Petitioner was one Maroti Ramchandra Pupulwad and the entry in the school record of Father of Maroti was 'Munarvar' and therefore, the first validity holder had secured the validity certificate on the basis of contra entry. However, he does not dispute the fact that several other members in the family of the Petitioner are issued validity certificates either by the Scrutiny Committee or under the orders of this Court. He submits that, appropriate orders be passed.

5. We have perused the papers on record. There is no dispute in respect of genealogy which was submitted by the Petitioner to the Respondent No.2 – Committee. The copies of the orders in the above referred Writ Petitions show that this Court had issued conditional validity as there were validity holders in the family of those Petitioners, in view of the decision in *Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti vs. state of Maharashtra and others; 2023 SCC Online SC 326*. There is no dispute that the said Petitioners are in blood

relation with the present Petitioner. The Petitioner is ready to run the risk of facing the consequences, depending upon the decisions in the reopened matters of the validity holders and therefore, he is entitled to get conditional validity certificate. Hence, we proceed to pass the following order.

ORDER

- (i) The Writ Petition is partly allowed.
- (ii) The impugned Order dated 26.08.2022 passed by the Respondent No.2 – Committee is quashed and set aside.
- (iii) The Respondent No. 2 – Committee shall issue Tribe Validity Certificate to the Petitioner as belonging to 'Mannervarlu' Scheduled Tribe, in the prescribed format.
- (iv) The validity to the Petitioner shall be subject to the final outcome of the matters which the Committee has decided to reopen.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)