



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

WRIT PETITION NO.11854 of 2024

Yash s/o. Rajesh Kamtamkar

..Petitioner

Vs.

1. The State of Maharashtra
2. The Scheduled Tribe Certificate
Verification Committee

..Respondents

Mr.S.M.Vibhute, Advocate for petitioner
Ms.P.J.Bharad, AGP for respondents

**CORAM : R.G.AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : AUGUST 01, 2025**

ORDER :-

This petition, under Article 226 of the Constitution of India, is filed against the order dated 17.10.2024, passed by the respondent – Scrutiny Committee, invalidating the claim of the petitioner towards “Mannervarlu”, scheduled tribe.

2. It is submitted by learned counsel for the petitioner that the petitioner’s father is granted validity by the respondent – Scrutiny Committee and this Court, in Writ Petition No.13077 of 2023, by order dated 22.07.2024, granted conditional validity to the petitioner’s real brother namely, Aryan Rajesh Kamtamkar and also one real cousin

brother of the petitioner. He submits that the vigilance-cell report supports the claim of the petitioner. The vigilance cell report in the brother's case of the petitioner has been used while considering the claim of the petitioner. He submits that the petition may be allowed in the light of the aforesaid order passed by this Court in the above-referred petition.

3. Learned AGP appearing for the respondents opposes the petition. She submits that the petitioner ought to have established the claim independently. However, she does not dispute that the petitioner's real brother has been granted conditional validity under the orders of this Court.

4. We have perused the record. The impugned order shows that on the basis of the contra entries found in the documents of the relatives of the petitioner, the respondent - Committee has invalidated the tribe claim. It is not in dispute that those contra entries were also considered by the respondent - Committee while invalidating the tribe claim of the petitioner's real brother and real cousin brother. This Court, by the above-referred order in the petition filed by the petitioner's real brother and cousin brother, has considered the said aspect; and considering that since the

Committee granted validity certificate to one Rajesh Chotelal Kamtamkar, who is father of the petitioner, has allowed the said Writ Petition.

5. In the light of the above, we proceed to pass the following order:-

- (i) The Writ Petition is partly allowed;
- (ii) The impugned order dated 17.10.2024, passed by the respondent - Committee is set aside;
- (iii) The respondent - Committee shall issue tribe validity certificate to the petitioner belonging to "Mannervarlu", Schedule Tribe, in the prescribed proforma without adding anything;
- (iv) The validity shall be subject to the outcome of the matters, which the Committee has decided to reopen;
- (v) The petitioner shall not entitled to claim equities.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

KBP