



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO.12375 OF 2024

1. SANJYOT HANMANT GANLEWAR
2. SANDHYARANI D/O HANMANT GANLEWAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND ANOTHER

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Advocate for the Petitioners : Mr. Boinwad Omgashad B.
AGP for Respondents-State : Mr. P. S. Patil.

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CORAM : S. G. MEHARE, AND
SHAILESH P. BRAHME, JJ.

DATE : 05.02.2025

PER COURT :-

1. Heard both sides finally at the admission stage considering the exigency in the matter.

2. This writ petition is directed against the impugned judgment and order dated 18.10.2024 passed by the respondent/ Scrutiny Committee invalidating Tribe Certificate of "Mannervarlu" Schedule Tribe. Petitioners are relying on the validity certificates issued to Sanket Gangadhar Ganlewar and Sudeep Sudhakar Ganlewar. It is informed that there was common vigilance inquiry conducted in case of Sanket, Sudeep, Manas and Yeshwant. The petitioners adopted their report. Hence, it is submitted that on the ground of parity, the

petitioners are entitled to receive conditional validity.

3. Learned AGP supports the impugned judgment and order. He would submit that the Committee is justified in discarding the validity certificates. The Committee found tampering of the record and suppression of the record to reject the tribe claim.

4. There is no dispute regarding the relationship of the petitioners with the validity holders. There was common vigilance inquiry in case of Sanket, Sudeep, Manas and Yeshwant. The petitioners are placed on record the vigilance report. The same was adopted by the petitioners. Sudeep was issued a validity certificates vide common judgment and order dated 04.09.2024 in Writ Petition No.9599 of 2024. Sanket was issued with validity by separate order dated 06.09.2024. The relationship is not disputed. The selfsame record has already been scrutinized. Unless the earlier certificates are revoked, the petitioners cannot be deprived the social status. The petitioners are ready to face the consequences as per *Shweta Balaji Isankar Vs. State of Maharashtra and others (Writ Petition No.6320 of 2017)*. We are of the considered view that they are entitled to receive conditional validity.

5. The Committee has taken the decision to issue show cause notices to earlier validity holders. It would take considerable time for conclusion of the re-verification proposed by the Committee. The petitioners cannot be made to wait till final conclusion of the re-verification proceeding. We find that impugned judgment and order is unsustainable. We, therefore, pass the following order :

ORDER

- (i) Writ Petition is allowed partly.
- (ii) The impugned judgment and order is quashed and set aside.
- (iii) Respondent No.2/Scrutiny Committee shall forthwith issued Tribe Validity Certificate of "Mannervarlu" to the petitioners and the same shall be subject to outcome of re-verification by the Scrutiny Committee.
- (iv) The petitioners shall not claim equities.

(SHAILESH P. BRAHME, J.)

(S. G. MEHARE, J.)

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vmk/-