



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

WRIT PETITION NO.12989 OF 2024

Chandrakant Nagesh Lolapod ... **PETITIONER**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....

Mr. M.A. Golegaonkar, Advocate for Petitioner

Mr. P.K. Lakhotiya, A.G.P. for Respondents

.....

WITH

WRIT PETITION NO.12994 OF 2024

Saraswati Nagesh Lolapod ... **PETITIONER**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....

Mr. M.A. Golegaonkar, Advocate for Petitioner

Mr. P.K. Lakhotiya, A.G.P. for Respondents

.....

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

DATE : 13th JUNE, 2025

PER COURT :

Considering the urgency expressed by learned
Advocate for the Petitioners, these petitions are taken up for
final adjudication at the admission stage.

2. The Petitioner in Writ Petition No.12989/2024 and Petitioner in Writ Petition No.12994/2024 are real brother and sister. Their claim towards “Mannervarlu” – Scheduled Tribe came to be invalidated by the Respondent No.2 Committee by common order dated 11/11/2024.

3. Learned Advocate for the Petitioners submits that, the father by name Nagesh and brother by name Gangaprasad, whose claims towards the aforesaid tribe were invalidated by the Respondent No.2 Committee, approached this Court in Writ Petition No.1241/2022 and 1392/2022, which came to be allowed by common order dated 3/8/2023 on the basis of validity granted to Madhav, who was the paternal cousin uncle of the Petitioners. He tenders across the bar copy of the aforesaid order passed by this Court. He submits that, identical order be passed and the Petitions be disposed off.

4. The learned A.G.P. supports the impugned order of the Respondent No.2 Committee. He submits that, the Respondent No.2 Committee has rightly invalidated the

Petitioners' claim on the basis of the documents on record. However, he does not dispute that this Court, in the aforesaid Writ Petitions, granted the conditional validity to the father and real brother of the Petitioners.

5. We have perused the aforesaid order and the copy of the Genealogy of the Petitioners. There is no dispute in respect of the Genealogy. The said Genealogy shows the names of Nagesh as father of the Petitioners and Gangaprasad as son of Nagesh. This Court, in the aforesaid order, has observed that, the validity certificate issued to the said Madhav is reliable and, therefore, granted conditional validity to the father and brother of the Petitioners. In this view of the matter, the Petitioners are also entitled for the similar relief i.e. conditional validity certificates. Hence we proceed to pass the following order :

ORDER

- (i) The Writ Petitions are partly allowed.
- (ii) The impugned order dated 11/11/2024, passed by the Respondent No.2 – Scrutiny Committee is quashed

and set aside.

- (iii) The Respondent No.2 – Scrutiny Committee shall issue Tribe Validity Certificates to the Petitioners as belonging to “Mannervarlu” – Scheduled Tribe forthwith, which shall be subject to the outcome of the reverification intended to be undertaken by the Scrutiny Committee.
- (iv) The Petitioners shall not be entitled to claim equities.
- (v) Writ Petitions stand disposed of accordingly.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

fmp/-