



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

WRIT PETITION NO. 13610 OF 2024

Monika Pandharinath Darmod .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Ghanshyam K. Chinchole, Advocate for the Petitioner.
Shri P. S. Patil, Addl.G.P. for the Respondent Nos. 1 and 2.

**CORAM : S. G. MEHARE AND
SHAILESH P. BRAHME, JJ.
DATE : 14TH FEBRUARY, 2025.**

ORDER :

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

2. The petitioner is assailing judgment and order dated 21.11.2024 passed by the respondent No. 2/Scrutiny Committee invalidating her tribe claim for scheduled tribe 'Mannervarlu'. She is relying on the validities issued to her father Pandharinath. Her cousins Bhawana and Krantikumar were issued with the validity certificates by intervention of this Court in Writ Petition No. 9263 of 2023. It is further pointed out that there was common vigilance in case of earlier validity holders, which was adopted by the petitioner.

3. The learned Additioinal Government Pleader supports the impugned judgment and order. She would submit that the Committee has rightly discarded validity certificates. No case is made out for causing any interference in the writ jurisdiction.

4. We have heard learned counsels for both sides. We have also gone through the genealogy. Petitioner's father Padharinath is validity holder. Similarly her cousins Bhavana and Krantikumar are validity holders. There is no dispute of relationship of the petitioner with the earlier validity holders. We have also noticed that the coordinate bench in the matter of Bhavana and Krantikumar partly allowed the writ petition vide order dated 06th August, 2024 relying on the validity of the present petitioners father Pandharinath. It is also undisputed that earlier common vigilance report was adopted by the petitioner. It is evident that self same record has already been scrutinized in granting validities in the family of the petitioner. Considering relationship with the petitioner with earlier validity holders, we have no iota of doubt that the petitioner is entitled for the validity.

5. The learned counsel for the petitioner submits that the petitioner is ready to abide by the conditions laid down in the judgment in the matter of **Shweta Balaji Isankar Vs. The State of Maharashtra and others judgment dated 27 July 2018 in W. P. No. 5611 of 2018**. In such a situation, the petitioner is entitled to conditional validity. We find that the

impugned judgment and order is unsustainable. We, therefore, pass following order.

O R D E R

- I. The writ petition is partly allowed.
- II. The impugned judgment and order dated 21.11.2024 passed by the respondent No. 2/Committee is quashed and set aside.
- III. The respondent No. 2/Committee shall issue validity certificate to the petitioner of 'Mannervarlu' scheduled tribe as expeditiously as possible and within a week from today.
- IV. The validity of the petitioner shall be subject to the reverification proposed by the Committee of the validity holders.
- V. The petitioner shall not be entitled to claim equities.

[SHAILESH P. BRAHME J.]

[S. G. MEHARE, J.]

bsb/Feb. 25