

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6019 OF 2024

Parmeshwar S/o Hushanna Zariwad,
Age : 51 Years, Occ. Service,
R/o. Chikhali (I) Tq. Kinwat,
Dist. Nanded.

..Petitioner

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai.
2. The Scheduled Tribe Certificate,
Verification Committee Kinwat
Head Quarter at Chh. Sambhajinagar,
Through its Dy. Director ®,
Dist. Chh. Sambhajinagar
3. The Chief Executive Officer,
Zilla Parishad Nanded,

.. Respondents

AND

WRIT PETITION NO. 6023 OF 2024

Dattatraya S/o Hushanna Zariwad,
Age : 56 Years, Occ. Service,
R/o. Chikhali (I) Tq. Kinwat,
Dist. Nanded.

.. Petitioner

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai.
2. The Scheduled Tribe Certificate
Verification Committee Kinwat
Head Quarter at Chh. Sambhajinagar,
Through its Dy. Director (R),
Dist. Chh. Sambhajinagar
3. The Chief Executive Officer,

Zilla Parishad Nanded,
Dist. Nanded.

4. The Block Education Officer
Education Department, Panchayat Samiti
Nanded. .. Respondents

AND

WRIT PETITION NO. 6025 OF 2024

Manoj S/o Narendra Zariwad,
Age : 36 Years, Occ. Service,
R/o. Chikhali (I) Tq. Kinwat,
Dist. Nanded. .. Petitioner

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai.
2. The Scheduled Tribe Certificate
Verification Committee Kinwat
Head Quarter at Chh. Sambhajinagar,
Through its Dy. Director (R),
Dist. Chh. Sambhajinagar
3. The Divisional Joint Director of Agriculture,
Amravati Division, Amravati,
Dist. Amravati
4. The District Superintendent
Agriculture Officer, Akola
Dist. Akola
5. The Taluka Agriculture Officer,
Patur, Dist. Akola .. Respondents

AND

WRIT PETITION NO. 6026 OF 2024

Pravin S/o Venktesh Zariwad,
Age : 34 Years, Occ. Service,
R/o. Chikhali (I) Tq. Kinwat,
Dist. Nanded. .. Petitioner

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai.
2. The Scheduled Tribe Certificate
Verification Committee Kinwat
Head Quarter at Chh. Sambhajinagar,
Through its Dy. Director (R),
Dist. Chh. Sambhajinagar
3. The Sub Divisional Officer,
Kinwat Dist. Nanded
Dist. Nanded. .. Respondents

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Advocate for the Petitioner : Mr. Sunil M. Vibhute
AGP for Respondent State : Ms. R. R. Tandale
Advocate for Respondent Nos. 3 & 4 : Mr. S. B. Pulkundwar

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**CORAM : S. G. MEHARE AND
SANDIPKUMAR C. MORE , JJ.**
DATED : MARCH 13, 2025

PER COURT:-

1. The petitioners have claimed the cast validity of 'Mannervarlu' (Scheduled Tribe). The respondent No.2/ Scrutiny Committee has directed to conduct the vigilance of all these petitioners and by impugned common judgment and order dated 10.06.2024, rejected the claim of the petitioners. The petitioners had filed the genealogy. The relationship between the parties is not disputed. The committee has granted the validity to Namdev Zariwad and Saipranay Dattatraya Zariwad, who are in the genealogy placed before the Committee. The common vigilance was relied upon by all these petitioners. On the

basis of the said vigilance, the Court granted conditional validity to the sons of petitioner Parmeshwar. Manoj is the nephew of Parmeshwar. Apart from that, Pravin is also their relative. There is no dispute about the relationship.

2. Heard the learned counsel for the petitioners. The petitioners submitted that on the basis of same evidence, this Court granted the conditional Scheduled Tribe validity certificate to Vinay and Vikas, who are the sons of petitioner Parmeshwar. Therefore, the petitioners also deserve to the conditional scheduled tribe validity certificate.

3. Though the relationship is admitted, the learned AGP has strongly opposed the petitions contending that the impugned judgment and order of the committee is free from illegality and irregularity.

4. The copy of the order passed by the Co-ordinate Bench, in the case of Vinay and Vikas is placed for perusal. The learned Co-ordinate Bench, considering the material on record and undisputed relationship with them, allowed the Writ Petition partly. Since those petitions are were arising out of the same vigilance, we have to follow the same course of reasoning of the order passed by the Co-ordinate Bench in the above matter. It has also been observed by the Co-ordinate Bench that unless the validity certificates are revoked, the petitioners cannot

be denied the same social status. Adopting the same reasoning, we pass the following order :-

ORDER

- (i) All the Writ Petitions are partly allowed.
- (ii) The impugned judgment and order dated 10th June 2024, passed by Respondent No.2/Scrutiny Committee stands quashed and set aside.
- (iii) Respondent No.2/ Caste Scrutiny Committee shall issue tribe validity certificates to the petitioners, of 'Mannervarlu' (Scheduled Tribe) forthwith.
- (iii) The validity certificates shall be subject to out come of the re-verification undertaken by the Scrutiny Committee of the validity certificates relied on by the petitioners.
- (iv) The petitioners shall not claim any equities.
- (v) The Writ Petitions are disposed of. There shall be no order as to costs.

(SANDIPKUMAR C. MORE)
JUDGE

(S. G. MEHARE)
JUDGE

Y.S.K.