



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5658 OF 2025

GAJANAN SURYAKANT KONGALWAR
VERSUS

1. THE STATE OF MAHARASHTRA THR. ITS SECRETARY TRIBAL
DEVELOPMENT DEPARTMENT MANTRALAYA, MUMBAI – 32
2. THE SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE,
AURANGABAD DIVISION KINWAT HQ. CHH. SAMBHAJI NAGAR THR.
ITS MEMBER SECRETARY
3. THE SUB DIVISIONAL OFFICER, DEGLOOR, DISTRICT NANDED
4. THE DISTRICT HEALTH OFFICER, ZILLA PARISHAD, BEED,
DISTRICT BEED.
5. THE MEDICAL OFFICER, PRIMARY HEALTH CENTRE, NAGPUR
TQ. PARLI (V) DIST. BEED.

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Advocate for the Petitioner : Mr. Giri Umakant P.
AGP for Respondents: Ms. S.S. Joshi

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CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 29.04.2025

PER COURT:

The petitioner is challenging the order of invalidation which is a common order in the matter of the petitioner and one Chandrakant Masnaji Kongalwar, refusing to validate their 'Mannervarlu' scheduled tribe certificates.

2. We have heard both the sides.
3. A common vigilance inquiry was conducted in the matter of one Rutuja Eranna Kongalwar, a cosine of the petitioner and one Chandrakant Masnaji Kongalwar, a real uncle. The impugned order in

the present matter is a common order, whereby, the Committee has refused to validate not only the petitioner's claim but even that of Chandrakant's. This would demonstrate that a common set of evidence is the subject matter of scrutiny while deciding not only the matters of Gajanan and Chandrakant but even that of Rutuja who having faced invalidation had approached this Court in Writ Petition No.3670/2022 and by the order dated 27.07.2023 she was held entitled to have a certificate of validity.

4. Since both the decisions are based on the same set of evidence, for the reasons recorded in the matter of Rutuja, the writ petition is allowed. The impugned order is quashed and set aside. The Committee shall immediately issue tribe validity certificate to the petitioner of 'Mannervarlu' scheduled tribe, which shall be subject to the outcome of the re-verification proposed to be undertaken by the Scrutiny Committee.

5. The petitioner shall not claim any equity.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)