IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1513 OF 2025

Sainath s/o Dattatray Ramod,
Age: 36 years, Occu: Service (Talathi),
R/o. Jarikot, Tq. Dharmabad,
Dist. Nanded
AT present R/o. Tahsil Office, Mangalvedha,
Tq. Mangalvedha, Dist. Solapur ….PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32

2. Scheduled Tribe Certificate
Verification Committee, Kinwat,
Headquarter Chhatrapati Sambhajinagar
Plot No.265, N-1, Sector – C, Town Center,
Beside Kala Ganpati Temple, Jalgaon Road,
CIDCO, Chhatrapati Sambhajinagar,
Dist. Chhatrapati Sambhajinagar,
Through its Deputy Director (Research)
and Member Secretary

3. The District Collector, Solapur,
Dist. Solapur

4. Sub Divisional Officer, Mangalvedha,
Tq. Mangalvedha, Dist. Solapur ….RESPONDENTS

AND

WRIT PETITION NO.1516 OF 2025

Shashikant s/o Dattatray Ramod,
Age: 52 years, Occu: Service (Peon),
R/o. Jarikot, Tq. Dharmabad,
Dist. Nanded
At present R/o. Karkeli, Tq. Dharmabad,
Dist. Nanded ….PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32

2. Scheduled Tribe Certificate
Verification Committee, Kinwat,
Headquarter Chhatrapati Sambhajinagar
Plot No.265, N-1, Sector – C, Town Center,
Beside Kala Ganpati Temple, Jalgaon Road,
CIDCO, Chhatrapati Sambhajinagar,
Dist. Chhatrapati Sambhajinagar,
Through its Deputy Director (Research)
and Member Secretary

3. Chief Executive Officer,
Zilla Parishad, Nanded,
Tq. and Dist. Nanded ….RESPONDENTS

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Mr Omprakash Totawar, Advocate h/f Mr Chandrakant R. Thorat,
Advocate for petitioners in both writ petitions
Mr Amar V. Lavte, A.G.P. for respondents/State in both petitions

CORAM : MANGESH S. PATIL
AND
PRAFULLA S. KHUBALKAR, JJ.

DATE : 31st January, 2025

JUDGMENT (PER : PRAFULLA S. KHUBALKAR, J.)

1. Heard learned advocate Mr. Totawar holding for learned advocate Mr Thorat for the petitioners and advocate Mr Amar Lavte, learned A.G.P. for State.

2. Rule. Rule made returnable forthwith. Heard finally by consent of the parties.

3. The petitioners who are real brothers have challenged the common order dated 17/01/2025, passed by respondent No.2/ Scheduled Tribe Certificate Scrutiny Committee, Kinwat in a proceeding under Section 7 of the Maharashtra Act No.XXIII of 2001, invalidating their caste claim for '*Mannervarlu*' Scheduled Tribe.

4. By the impugned order, the respondent/committee has observed that the petitioners have failed to establish their caste claim on the basis of documentary evidence, as well as on account of failure to prove affinity with '*Mannervarlu*' Scheduled Tribes.

5. Pertinent to note that the vigilance cell enquiry was conducted in the matter of total eight persons of the same family,

which included petitioner Shashikant Dattatray Ramod in Writ Petition No.1516/2025. It has to be noted that, out of these eight persons, after invalidation, Snehalata Ashokrao Ramod, Laxman Suryakant Ramod and Swapnil Gangadhar Ramod have successfully challenged the invalidation order vide separate writ petitions, which are detailed below :-

(a) Writ Petition No.1256/2023 (Snehalata Ashokrao Ramod Vs. State of Maharashtra and another) decided by order dated 06/02/2023.

(b) Writ Petition No.1096/2022 (Laxman Suryakant Ramod Vs. State of Maharashtra and another) decided by judgment dated 14/02/2023.

(c) Writ Petition No.947/2022 (Swapnil Gangadhar Ramod Vs. State of Maharashtra and another) decided by judgment dated 10/03/2023.

6. It has to be noted that same set of evidence was subject matter of scrutiny before this Court in all the above mentioned cases. On the basis of objective scrutiny of the material, their petitions were allowed directing grant of validity certificates in their favour. Since

same set of evidence is subject matter of scrutiny for deciding the case of Shashikant Dattatray Rathod (petitioner in Writ Petition No.1516/2025), his petition needs to be decided on the same lines. Sainath Dattatray Ramod, petitioner is Writ Petition No.1513/2025, being real brother of Shashikant Dattatray Ramod, is also entitled for similar benefit.

7. For the reasons recorded in the judgments mentioned above in the matters of blood relatives of the petitioners, the petitioners are also entitled for validation of their claims.

8. In view of the settled position of law in the matters of **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and others, [AIR 2023 Supreme Court 1657]** and **Apoorva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and others, [2010 (6) Mh. L.J. 401]**, the petitioners, being blood relatives of validity holders, are entitled for validation of their claims, however, subject to outcome of matters which the respondent/committee has decided to reopen. Hence, we pass the following order:-

(a) The writ petitions are partly allowed.

(b) The impugned order dated 17/01/2025, passed by respondent No.2/committee, is quashed and set aside to the extent of the petitioners.

(c) Respondent No.2/scrutiny committee is directed to issue validity certificate to the petitioners of belonging to the ‘Mannervarlu’ Scheduled Tribe in the prescribed format, which shall be subject to outcome of matters which the respondent/committee has decided to reopen.

(d) The petitioners shall not claim any equities.

9. Rule is made partly absolute in above terms.

(PRAFULLA S. KHUBALKAR, J.) **(MANGESH S. PATIL, J.)**

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