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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11976 OF 2026

Manas Manoj Yelgulwar
Aged 17 years, Occupation : Student,
Minor through his natural guardian father:
Manoj Prakash Yelgulwar,
Age-50 years.
Residing at B1, Gurukrupa, Adarsh Nagar,
Shriniwas Housing Society, near Ashwini
Hospital, North Solapur,
Maharashtra - 413003.

...Petitioner

Versus

1. State of Maharashtra
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai - 400 032.

2. Scheduled Tribe Certificate
Scrutiny Committee, Pune Dn.
Through its Member Secretary
Having its office at 5th floor
Kapil Towers "C" Wing
Near RTO, Pune: 411 001

3. State Common Entrance Test Cell,
Maharashtra State
8th Floor, New Excelsior Building,
A.K. Nayak Marg, Fort,
Mumbai 400 001.

...Respondents

Mr. R.K. Mendadkar a/w Mr. Jagadish C. Kawale, for the Petitioner.
Ms. Meghna Gowalani, for Respondent No.3 – CET Cell.

Ms. Kavita N. Solunke, Additional Government Pleader a/w Mr. Abhijeet Naik, AGP, for the Respondent-State.

CORAM : R.I. CHAGLA, J.
& FIRDOSH P. POONTWALLA, J.

DATE : 9 October 2026

ORAL JUDGMENT (PER R.I. CHAGLA, J.) :

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

2. By this Writ Petition, the Petitioner is seeking setting aside of the impugned Order dated 4th September 2026 passed by the Respondent No.2 - Scheduled Tribe Certificate Scrutiny Committee, Pune Division, (“**Scrutiny Committee**”) with further directions to issue a Scheduled Tribe Validity Certificate in favour of the Petitioner as belonging to the “Koli Mahadev” Scheduled Tribe.

3. This is the second round of litigation. In the earlier round, Writ Petition No. 10707 of 2026 had been filed by the Petitioner. This was at the stage when the Petitioner had been allotted provisional admission by the Respondent No.3 – State CET Cell and last date for submission of Caste Validity Certificate was 7th

September 2026 as per Schedule of CAP Round for admission of First Year Under Graduate Technical Course in Engineering and Technology (4 years) for Academic Year 2026-27. The grievance expressed by the Petitioner at that stage was that the Respondent No.2 – Scrutiny Committee had, despite the Application for grant of a Caste Validity Certificate already made by the Petitioner on 11th June 2026, had not decided the Application. The Petitioner accordingly had sought an expeditious hearing of the Application to enable the Petitioner to submit the Caste Validity Certificate by 7th September 2026.

4. It was the submission of the learned AGP for Respondents No. 1 and 2 – State, on the date of hearing of the Petition, that the Vigilance Cell Inquiry Report is awaited and, accordingly, further time was sought for taking a decision on the Petitioner's Application.

5. This Court, vide Order dated 28th August 2026, had considered the above submissions as well as the submissions of the learned Counsel for Respondent No. 3 – State CET Cell. Upon perusing the documents on record, which included the Caste Validity

Certificate issued to the Petitioner's paternal blood relatives and decisions of this Court in **Nandkumar Manohar More Vs. State of Maharashtra and Others** in Writ Petition No. 1602 of 1998 decided on 20th December 2012 (Nagpur Bench), which has been followed in Writ Petition No. 10697 of 2026 decided on 27th August 2026 in **Varad Jaywant Patil, Minor Through Father Jaywant Patil Vs. State of Maharashtra & Others**, which had taken a view that where the paternal blood relatives of the Petitioner have been granted Caste Validity Certificates, then permitting the Scrutiny Committee to again conduct an inquiry through the Vigilance Cell of the Petitioner would be nonetheless prolonging the decision of a legitimate claim of the Petitioner before this Court, this Court had dispensed with the Vigilance Cell Inquiry in consonance with the aforesaid decisions. It was also observed by this Court that, by dispensing with the Vigilance Cell Inquiry, the Scrutiny Committee could pass a decision on or before 4th September 2026, and thereby the Petitioner would be in a position to upload the Caste Validity Certificate, in the event it is granted in his favour by the Respondent No. 2 - Scrutiny Committee, on the portal of Respondent No. 3 – State CET Cell.

6. It is surprising to note that, despite this Court's order

dated 28th August 2026, the Scrutiny Committee has in the impugned Order dated 4th September 2026 discarded the Caste Validity Certificates issued to the paternal blood relatives of the Petitioner.

7. The Petitioner was called upon to give a say by the Respondent No.2 – Scrutiny Committee on a chart containing 10 entries of what was described by the Respondent No.2 - Scrutiny Committee as blood relatives of the Petitioner at the hearing held on 1st September 2026 by the Respondent No. 2 – Scrutiny Committee. It is pertinent to note the response of the Petitioner, and, in particular, where the Petitioner has expressly stated that entry nos. 1 to 6 in the said chart are not related to any of the forefathers of the Petitioner from the paternal side. The persons listed at entry nos. 1 to 6 are not at all blood relatives from the paternal side. Further, there are 4 adjudications rendered by this Court, including in the case of Bhavana Vishnu Yalgulwar, the paternal cousin aunt of the Petitioner, in Writ Petition No. 1625 of 1994, decided on 14th March 1996, wherein this Court has directed the issuance of Caste Validity Certificates to the blood relatives of the Petitioner from the paternal side. There was sufficient material to show that the Petitioner belonged to the ‘Mahadev Koli’ community, which is a Scheduled

Tribe.

8. Mr. Mendadkar, the learned counsel appearing for the Petitioner, has taken this Court through the decision of the Division Bench of this Court in **Abhishek Mahendra Umbarje Vs. State of Maharashtra, 2022 SCC OnLine Bom 2858**, wherein it is observed that where the Petitioner's blood relatives have been granted Certificate of Validity by the Scrutiny Committee, Validity Certificates are conclusive proofs of the social status of the Petitioners. The existence of a paternal relationship claim is a compelling consideration. The basic premise is that paternal relatives take the same caste as their common ancestors based on consanguinity. No Court can conclude that a paternal relationship belongs to one community and that another relationship can be considered to belong to another. The caste/tribe of the Petitioners cannot be different from the caste/tribe of their father, brother, sister, uncle and other blood relatives.

9. Mr. Mendadkar has also taken this Court through the consistent view taken by this Court, as well as the judgement of the Supreme Court in **Maharashtra Adiwasi Thakur Jamat Swarakshan**

Samiti Vs. State of Maharashtra and Ors. (2023) 16 Supreme Court Cases 415, viz that where paternal blood relatives have been granted the Caste Validity Certificate, this is required to be accepted by the Scrutiny Committee and it is binding on the Scrutiny Committee.

10. Mr. Mendadkar has submitted that, in the impugned Order of the Respondent No.2 – Scrutiny Committee, the mere reason given for disregarding the Caste Validity Certificate issued in favour of the Petitioner's paternal blood relatives is that the Scrutiny Committee is contemplating filing of Special Leave Petition before the Supreme Court. He submitted that such a reason is not sufficient for disregarding the Caste Validity Certificate issued in favour of the Petitioner's paternal blood relatives.

11. Mr. Mendadkar referred to a recent order passed by this Court in **Nupur Prashant Surve Vs. State of Maharashtra and Ors. in Writ Petition No. 10954 of 2026 decided on 31st August 2026** wherein this Court had considered a similar case where the Scrutiny Committee had disregarded the Validity Certificate issued to the paternal blood relatives. Reference has been made in the said Order dated 31st August 2026 to **Maharashtra Adiwasi Thakur Jamat**

Swarakshan Samiti (*supra*) and other orders passed by this Court wherein it has been held that since the Caste Validity Certificates have been issued to the Petitioner's blood relatives, reliance on the Show Cause Notices issued to the Petitioner's blood relatives alleging fraud would not suffice to refuse grant of Validity Certificate to the Petitioner. Mr. Mendadkar submitted that Respondent No.2- Scrutiny Committee has relied upon the documents placed before it in order to hold that the Petitioner misled the Committee by not mentioning details of relatives whose names have already been invalidated in the family genealogy, which had also been placed before the Scrutiny Committee. He submitted that, in so holding, the Respondent No.2 – Scrutiny Committee has omitted to consider that there were in fact paternal blood relatives of the Petitioner who have been granted Caste Validity Certificates. Further, Respondent No. 2 - Scrutiny Committee has relied upon the invalidity of the Caste Certificate in case of Vaishnavi Yuvraj Yelgulwar, whilst, failing to consider that her sister -Yogita Yuvraj Yelgulwar had been granted Certificate of Validity on 9th August 2018.

12. Mr. Mendadkar has accordingly submitted that the impugned Order has failed to adhere to the Order of this Court dated

28th August 2026, by which directions had been issued by this Court to the Respondent No.2 – Scrutiny Committee to consider the Caste Validity Certificates of the Petitioner's paternal blood relatives and dispense with the Vigilance Cell Inquiry in view of the legitimate claim of the Petitioner.

13. The learned Additional Government Pleader appearing for the Respondents No. 1 & 2 – Scrutiny Committee has supported the impugned Order passed by the Respondent No. 2- Scrutiny Committee by submitting that there are inconsistencies in the case of the Petitioner, in that there are blood relatives of the Petitioner whose caste certificates have been invalidated. She submitted that, in such a case, it is not possible to grant to the Petitioner the Validity Certificate as the Petitioner has failed to establish his claim of belonging to the 'Koli Mahadev' Tribe and for which the Validity Certificate has been sought.

14. The learned Additional Government Pleader has further submitted that this is not a case where the said Order dated 28th August 2026 passed by this Court has been violated by the Respondent No.2 – Scrutiny Committee as it was open to the

Respondent No.2 – Scrutiny Committee to consider the claim of the Petitioner for Caste Validity Certificate based on the documents on record, which included certain relatives of the Petitioner whose Caste Certificates have, in fact, been invalidated.

15. Having considered the submissions, we are of the view that the Petitioner's paternal blood relatives having been issued Caste Validity Certificates, this could not have been disregarded by the Respondent No.2 – Scrutiny Committee in the impugned Order. It has been held by the Supreme Court in **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti** (*supra*) that in the event the Scrutiny Committee is satisfied that the person in whose favour the caste Validity Certificate has been issued is a blood relative of the Applicant and lawful enquiry has been conducted before issuing the validity certificate, the Scrutiny Committee will have to issue the validity certificate even if the Applicant does not satisfy the affinity test. Further, if on the basis of the report of the Vigilance Cell and other evidence on record, the Scrutiny Committee comes to a conclusion that the caste claim is genuine, a Caste Validity Certificate can be issued.

16. This Court in **Nupur Prashant Surve** (*supra*) has expressly relied upon **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti** (*supra*) and also considered the earlier decisions passed by this Court and held that where the Petitioner's paternal blood relatives have been granted Caste Validity Certificates, this is required to be taken into consideration by the Scrutiny Committee and the Scrutiny Committee will be bound by the Orders of this Court which have directed the issuance of Caste Validity Certificate.

17. In the present case, there are as many as 4 paternal blood relatives of the Petitioner who have been granted Caste Validity Certificates. These are pursuant to the Orders passed by this Court. In the case of **Sahadev Nagnath Yelgulwar Vs. State of Maharashtra**, a Division Bench of this Court, in **Writ Petition No. 5938 of 2011 decided on 30th April 2015**, has considered the decision of the Supreme Court in **Amruta Vijay More Vs. State of Maharashtra & Ors. (Civil Appeal No. 7230 of 2011 dated on 23rd August 2011)**, wherein it is held that where the Caste Scrutiny Committee had clearly found the father, paternal uncle, brother and paternal cousins of the Appellant belonged to Thakur Scheduled Tribe, a subsequent decision of the Scrutiny Committee, solely on the basis of affinity test, does

not stand to scrutiny. The Validity Certificate issued to the relatives needs to be appreciated while considering the caste claim of the other blood relatives. This Court accordingly directed the Scrutiny Committee to issue the Caste Validity Certificate to the Petitioner in that case.

18. Further, in the case of the Petitioner's blood relative **Kaviraj Yelgulwar**, a Division Bench of this Court in **Writ Petition No. 4711 of 2011 decided on 27th January 2017** has also considered the documents produced by the Petitioner, namely, the Order passed in the case of **Bhavana Vishnu Yalgulwar** (*supra*) and the Caste Validity Certificate issued in favour of the cousin brother from paternal side Pawankumar Yelgulwar, Yuvraj (real brother), Shashibhushan, Deepak, Nagesh and Ms.Swati. The Caste Validity Certificate had also been issued to one Mr. Santosh Yelgulwar. Accordingly, this Court had directed the Caste Validity Certificate certifying the Petitioner belonging to 'Hindu Mahadev Koli Scheduled Tribe' to be issued. Another decision of this Court in the case of the Petitioner's paternal blood relative is **Muniraj Yelgulwar and Anr. Vs. The State of Maharashtra and Ors. in Writ Petition No. 5623 of 2011 decided on 27th January 2017** adopts the same view.

19. In all these cases, this Court has granted the Caste Validity Certificates in favour of the Petitioner's paternal blood relatives. The Respondent No.2 – Scrutiny Committee ought to have issued the Caste Validity Certificate in favour of the Petitioner in view of the binding decisions of this Court in cases of the Petitioner's paternal blood relatives.

20. Accordingly, we set aside the impugned Order of the Respondent No.2 – Scrutiny Committee. We do not find any merit in the contention on their behalf that merely because the Scrutiny Committee contemplates carrying the decision of this Court higher, the Caste Validity Certificates issued in favour of the Petitioner's blood relatives can be discarded.

21. Hence, we pass the following order.

22. The impugned Order dated 4th September 2026 is quashed and set aside.

23. The Respondent No.2 - Scrutiny Committee is directed to issue a Scheduled Tribe Validity Certificate in favour of the Petitioner

as belonging to 'Koli Mahadev Schedule Tribe' within a period of two weeks from uploading of this Judgment and Order.

24. We make it clear that, in the event, if any of the validity holders on whom the Petitioner before this Court has relied upon for claiming validity, suffer invalidation in the reopened cases, the Respondent No. 2 - Scrutiny Committee would be at liberty to reopen the Petitioner's case as well and the consequences suffered by those candidates whose claims are invalidated (after reopening of the case) would also apply to the Petitioner as well.

25. The Writ Petition is accordingly disposed of in the above terms. No order as to costs.

[FIRDOSH P. POONIWALLA, J.]

[R.I. CHAGLA J.]