



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 567 OF 2025

Vedant s/o Venkatrao Annamwar, ... **Petitioner**
Age 19 years, Occu: Student,
R/o Vaishnavinagar, Wadi Budruk
Tq. and Dist. Nanded

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe Certificate Scrutiny ... **Respondents**
Committee, Kinwat Division
Headquarter at Chhatrapati Sambhajinagar,
Through its Member Secretary
3. The Sub Divisional Officer,
Nanded, Tq. & Dist. Nanded

Mr. Manish Paithane h/for Mr. Madhur A. Golegaonkar, Advocate for the
petitioner,
Mrs. K. B. Patil Bharaswadkar, AGP for the Respondents State

CORAM : MANISH PITALE &
Y. G. KHOBRADE, JJ.
DATE : 22nd August, 2025

ORDER (Per: Y. G. Khobragade, J.)

1. The challenge in the present Petition is to the order dated
26.11.2024, passed by Respondent No.2 Scrutiny Committee,
invalidating “Mannervarlu” Scheduled Tribe claim of the Petitioner.

2. The petitioner is intending to secure admission to the professional course from the seat reserved for the Scheduled Tribe Category. Schedule of admissions has started as CET result is declared. Therefore, considering the extreme urgency shown, the petition is taken up for disposal at the stage of admission.

3. Heard both sides at length.

4. As per the genealogical tree, grandfather of the petitioner namely Buchenna Sambanna Annamwar has six sons namely Vyankatrao (father of the petitioner), Vijay, Sudarshan, Bhagwan, Santosh and Kailas. Swapnil is the son of Bhagwan. Sneha is the daughter of Santosh. Yogita and Ashwini are the daughters of Vilas.

5. On face of record, it appears that on 03.11.2010, Respondent No.2 Scrutiny Committee had granted validity certificates of belonging to Mannervarlu Schedule Tribe in favour of Venkatrao Buchanna Annamwar, father of the petitioner. Further, on 19.01.2021, Respondent No.2 Scrutiny Committee had granted validity certificates of belonging to Mannervarlu Schedule Tribe in favour of Sanket Venkatrao Annamwar, real brother of the petitioner. It appears that Bhagwan Buchanna Annamwar, Vilas Buchanna Annamwar real uncles of the petitioners so also, cousins

namely Swapnil Bhagwan Annamwar, Sneha Santosh Annamwar, Ashwini Vilas Annamwar are also issued with validity certificates of belonging to "Mannervarlu" Schedule Tribe by the Scrutiny Committee.

6. Respondent No.2 passed the impugned order and invalidated the scheduled tribe claim of the petitioner on the grounds the petitioner has failed to prove the affinity test and that the paternal blood relatives of the petitioners obtained validity certificates on the basis of false documents and concealment of original record and therefore, notice for revocation of their validity certificates was issued. However, as on today, the validity certificates of "Mannervarlu" Scheduled Tribe issued in favour of blood relatives of the petitioner, including father and and real brother are still in operation. Admittedly, the validity holders are the blood relatives of the petitioners and the Committee has not denied the same.

7. In cases of ***Mah. Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors.; AIR 2023 S.C. 1657, Shweta Balaji Isankar V/s. State of Maharashtra & Ors., 2018 SCC Online Bom. 10341, Apoorva Vinay Nichale-Vs- Divisional Caste Certificate Scrutiny Committee No. 1 and Ors., [2010 (6) Mh. L. J. 401,*** it has been concluded that when the biological father, biological siblings, biological

uncle etc., are granted validity certificates, a candidate so related to them, cannot be deprived of a validity certificate. Therefore, considering parity with the blood relatives of the petitioner, the petitioner is entitled to have conditional validity subject to outcome of the decision in the proceedings in respect of the blood relatives of the petitioner, which the committee has decided to reopen.

8. Learned counsel for the petitioner voluntarily submitted that blood relatives of the petitioner to whom the notice for revocation of validity has been served shall execute an undertaking before the Respondent No.2 Committee that they would regularly appear in the matter and shall cooperate with the Committee for early decision in the said matter.

9. The Petitioner appears to be the aspiring student for the professional course. Therefore, he is called upon to furnish undertaking that, in case, his tribe validity certificate is invalidated by the Scrutiny Committee, in that event he shall pay the tuition fees and admission fees applicable to the candidates from open category and no equity shall lie in his favour.

10. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 26.11.2024 passed

by Respondent No.2 Scrutiny Committee needs to be quashed and set aside. Accordingly, we proceed to pass the following order:-

ORDER

- i) The Writ Petition is partly allowed.
- ii) The impugned order dated 26.11.2024, passed by Respondent No.2 Scrutiny Committee is hereby quashed and set aside.
- iii) Respondent No.2 Scrutiny Committee shall **immediately** issue “Mannervarlu” Scheduled Tribe validity certificate in favour of the Petitioner, which shall be subject to following conditions:-
 - (a) The caste validity certificate shall be subject to the outcome of the re-verification of the validity certificates of the his blood relatives, if any, proposed by the Scrutiny Committee.
 - (b) The Petitioner shall furnish undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institution with whom he will take admission for professional course, indicating that in case his caste validity is revoked, he would deposit the tuition fees and other charges applicable to the candidates from open category.
 - (c) The Petitioner shall not claim any equity.
 - (d) The Petitioner shall cooperate with the Scrutiny Committee.
- v) Mr. Venkatrao Buchanna Annamwar, Sanket Venkatrao Annamwar, Bhagwan Bhagwan Buchanna Annamwar and other

blood relatives of the Petitioners, to whom the notice for revocation of validity has been served, shall furnish undertaking before the Scrutiny Committee, stating that they will cooperate and appear before the Scrutiny Committee as and when called upon.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

JPCChavan