



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1636 OF 2025

1. ADITYA NAVNATH ADATRAO
2. RITESH GOKUL ADATRAO
3. AMIT GOKUL ADATRAO

VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER

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Advocate for the Petitioner : Mr. Jadhavar Pratap V.
AGP for Respondents/State : Mr. R.K. Ingole

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**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.**

DATE : 11th August, 2025

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

1. Heard the learned counsel for the Petitioners and the learned AGP for the Respondents. With consent of both the sides, the matter is heard finally at the stage of admission.

2. The challenge in the present Petition is to the order dated 31.12.2024, passed by Respondent No.2/ Scrutiny Committee, invalidating "Koli Mahadev" Scheduled Tribe claim of the Petitioners.

3. As per the genealogical tree, Shrawan Hari Adatrao was having one son Tatya Shrawan Adatrao. Namdeo, Pandurang Hari,

Tukaram, Navnath, Raghunath and Prabhavati are children of Tatya Adatrao. Gokul is son of Namdeo. Arun is son of Pandurang. Aditya (Petitioner No.1) is son of Navnath. Deepak and Dilip are sons of Raghunath. Ritesh (Petitioner No.2) and Amit (Petitioner No.3) are sons of Gokul.

4. On face of record, it appears that on 22.06.2010, the Respondent No.2/Scrutiny Committee granted “Koli Mahadev” Scheduled Tribe validity certificate in favour of Navnath Tatya Adatrao. Again, on 29.01.2011 the Respondent No.2/Scrutiny Committee issued “Koli Mahadev” Scheduled Tribe validity certificate in favour of Arun Pandurang Adatrao. First time on 22.02.2008, the Respondent No.2/Scrutiny Committee granted “Koli Mahadev” Scheduled Tribe validity certificate in favour of Deepak Raghunath Adatrao. Considering the vigilance cell report and the explanation given by Deepak that “M. Koli” is “Mahadev Koli” Scheduled Tribe and considering that Subhau Balwatkar is the relative of the Applicant-Deepak Adatrao.

5. Needless to say, that the Respondent No.2/Scrutiny Committee passed the impugned order holding that initially validity certificate was granted in favour of Deepak Adatrao the paternal blood

relative of the Petitioners, considering the validity certificate of Subhau Balwatkar, however, said person is not paternal blood relative of the original validity holder- Deepak Adatrao, therefore, the Petitioners are not entitled for Koli Mahadev Scheduled Tribe certificates and hence invalidated the caste claim of the Petitioners. However, the fact remains that the Respondent No.2/Scrutiny Committee has already granted Koli Mahadev Scheduled Tribe validity certificate in favour of Arun Adatrao, Navnath Adatrao and Raghunath Adatrao. The Respondent No.2/Scrutiny Committee has not denied the paternal blood relations between the present Petitioners and the other three validity holders namely, Arun, Tukaram and Deepak.

6. Therefore, considering the law laid down in the cases of *Mah. Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors.*; AIR 2023 SC 1657, *Shweta Balaji Isankar Vs. 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, wherein 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. The present Petitioners are entitled to have the certificates of validity.

7. The Petitioners appear to be aspiring students pursuing professional courses. Therefore, they are called upon to furnish undertaking that, in case, their caste validity certificates are invalidated by the Scrutiny Committee, in that event they shall pay the tuition fees and admission fees applicable to the candidate from open category and no equity shall lie in their favour. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 31.12.2024 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 31.12.2024, passed by Respondent No.2/ Scrutiny Committee is hereby quashed and set aside.
- (iii) Respondent No.2 Scrutiny Committee shall **immediately** issue “Koli Mahadev” Scheduled Tribe validity certificate in favour of the Petitioners, which shall be subject to following conditions:-
 - (a) The caste validity certificates shall be subject to the outcome of the

re-verification of the validity certificates of their blood relatives proposed by the Scrutiny Committee.

- (b) The Petitioners shall furnish undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institutions with whom they will take admission for professional courses, indicating that in case their caste validity is revoked, they would deposit the tuition fees and other charges applicable to the candidates from open category.
- (c) The Petitioners shall not claim any equity.
- (d) The Petitioners shall cooperate with the Scrutiny Committee.

[Y.G. KHOBRAGADE, J.]

[MANISH PITALE, J.]