



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2844 OF 2025

Mangesh s/o Govind Surewad, ... **Petitioner**
Age 25 years, Occu: Student
R/o Mangal Sangvi Tq. Kandhar
Dist. Nanded
At present: Ramji Nagar, HUDCO
New Nanded.

VERSUS

1. The State of Maharashtra,
Through its Principal Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe certificate Verification ... **Respondents**
Committee, Kinwat
Headquarter at Chhatrapati Sambhajanagar,
Through its Deputy Director of Research
and Member Secretary

Mr. C. R. Thorat, Advocate for the petitioner,
Mr. R. K. Ingole, AGP for the Respondents State

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

DATE : 19.08.2025

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

1. The challenge in the present Petition is to the order dated 13.03.2024, 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, Shivram Jalba Surewad, the forefather of the petitioner, had two sons namely, Jalba and Jayram. Shivram, Manika and Narsingh are the sons of Jalba. Mahadji is son of Jayram. Tukaram, Ananda and Jayram are sons of Mahadji. Kusum, Raosaheb, Vyankat, Shivaji and Sanjay are the sons of Jayram. Ramdas is son of Tukaram. Balaji, Gopal, Vimal and Govind are sons of Ananda. Gangaram and Amruta are children of Shivram. Ganpati and Sambhaji are the sons of Manika. Balaji, Govind, Shivaji, Apparao, Bhujanga and Ramrao are the sons of Sambhaji. The Petitioner Mangesh is the son of Govind. Kishan and Laxman are sons of Gangaram. Dhondiba and Shantabai are children of Amruta. Vijay and Sanjay are the sons of Suryakant. Baliram, Dattaram, Narsingh, Parbata, Parshuram, Madhav, Pralhad are the sons of Ganpati. Pradnya, Prashant and Prachi are children of Baliram. Ankush and Santosh are the sons of Parshuram. Pratibha and Shivraj are children of Parbata.

5. On face of record, it appears that Respondent No. 2 Scrutiny Committee had granted Validity Certificates "Mannervarlu" Scheduled Tribe in favour of the following paternal blood relatives of the petitioner:

Sr. No.	Name	Date of validity
1.	Pradnya Baliram Surewad	29.08.2002
2.	Anil Jalba Surewad	29.12.2005
3.	Jalba Kisanrao Suryawad	2007
4.	Sunil Jalba Suryawad	02.05.2006
5.	Kishor Jalba Suryawad	29.05.2007
6.	Ankush Parshuram Suryawad	28.06.2007
7.	Ramrao Sambhaji Suryawad	25.06.2007
8.	Gopal Anandrao Suryawad	18.12.2009
9.	Vyankat Jayram Suryawad	07.10.2005
10.	Kusumtai Jayram Suryawad	27.12.2006
11.	Pratibha Parbatrao Suryawad	24.06.2011

6. Therefore, it prima facie appears that, the paternal blood relatives of the petitioners are holding Validity Certificates. On 18.07.2019, this court passed an order in Writ Petition No. 8712 of 2019(Rutuja Raosaheb Suryawad V/s State of Maharashtra) and directed Respondent No. 2, Scrutiny Committee to issue conditional validity certificates with coterminous with paternal blood relatives of the petitioner, which the Respondent No. 2, Committee had decided to reopen and served with the notices.

7. Respondent No.2 passed the impugned order and invalidated the scheduled tribe claim of the petitioner on the ground that the petitioner has failed to prove the affinity test. Admittedly, the validity holders are the blood relatives of the petitioner and the committee has not denied the same. Since the paternal blood relatives, including father of the Petitioner are having “Mannervarlu” Scheduled Tribe validity Certificates, considering the parity, the Petitioner is also entitled to have “Mannervarlu” Scheduled Tribe Validity Certificate.

8. 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 Petitioner is entitled to have the certificate of validity.

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 13.03.2024 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 13.03.2024, 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.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

JPChavan