



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

WRIT PETITION NO. 3023 OF 2025

Gopinath s/o Sudhakar Mantre ... **Petitioner**
Age 18 years, Occu: Education
Through power of attorney holder-
Vishnu Namdeo Mantre
R/o Pahadi Pargaon Tq. Dharur
District Beed

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe Certificate Verification ... **Respondents**
Committee, Chhatrapati Sambhajanagar
Division Dist.(Chhatrapati Sambhajanagar)
Through its Deputy Director (R)

AND

WRIT PETITION NO. 3011 OF 2025

Ashabai d/o Baliram Mantre ... **Petitioner**
Age 33 years, Occu: Service
Through power of attorney holder-
Vishnu Namdeo Mantre
R/o Pahadi Pargaon Tq. Dharur
District Beed

AND

WRIT PETITION NO. 3020 OF 2025

Vishnu s/o Namdev Mantre ... **Petitioner**
Age 42 years, Occu: Service
R/o Pahadi Pargaon Tq. Dharur
District Beed

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe Certificate Verification ... **Respondents**
Committee, Chhatrapati Sambhajanagar **in WP Nos.**
Division Dist.(Chhatrapati Sambhajanagar) **3020 & 3011**
Through its Deputy Director (R) **of 2025**
3. The Secretary,
Sanskar Shikshan Mandal, Wadwani
Tq. Wadwani, Dist. Beed
4. The Headmaster,
Maharani Tarabai Madhyamik & Uchha
Madhyamik School, Wadwani
Tq. Wadwani, Dist. Beed

AND

WRIT PETITION NO. 3022 OF 2025

Anant s/o Namdev Mantre ... **Petitioner**
Age 33 years, Occu: Service
R/o Pahadi Pargaon Tq. Dharur
District Beed

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe Certificate Verification ... **Respondents**
Committee, Chhatrapati Sambhajanagar
Division Dist.(Chhatrapati Sambhajanagar)
Through its Deputy Director (R)

3. The Divisional Forest Officer
Ratnagiri (Chiplun),
Prabhat Road, Makandi, Chiplun
District Ratnagiri
- Mr. Sunil M. Vibhute, Advocate for the petitioners,
 - Mr. R. K. Ingole, AGP for the Respondents State
 - Mr. K. D. Khade, Advocate for Respondent Nos. 3 and 4 in WP Nos. 3020 & 3011 of 2025

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

DATE : **19.08.2025**

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

1. By the present petitions under Article 226 of the Constitution of India, the Petitioners, who are blood relatives including brothers and sisters, take exception to the order dated 25.02.2025 passed by Respondent No.2 Scrutiny Committee, thereby invalidating their "Koli Mahadev" Schedule Tribe Certificates.

2. Issue notice to the respondents. Learned AGPs waive notice on behalf of Respondents/State in all petitions. Learned Mr. Khade waives notice for Respondent Nos. 3 and 4 in Writ Petition Nos. 3020 & 3011 of 2025

3. The petitioner in Writ Petition No.3023 of 2025 is a student and he requires the validity for education purpose. Other petitioners require validity for service purpose. Their claim has been rejected by the Committee by a common order dated 25.02.2025. Therefore,

considering the urgency shown, all these petitions are taken up together for disposal at the stage of admission.

4. The petitioners claim that they belong to "Koli Mahadev" Scheduled Tribe. Their individual proposals were forwarded to Respondent No.2 Scrutiny Committee for validation of their tribe certificates. The petitioners have submitted various documents, including validity certificates of blood relatives, school entries etc. in support of their claims. However, by a common order dated 25.02.2025, the claims of the petitioners of belonging to "Koli Mahadev" Scheduled Tribe are rejected by the Committee.

5. Having regard to the submissions canvassed on behalf of both the sides, we have gone through the record.

6. As per the genealogical tree, Gunaji Mantre is the forefather of the Petitioners. He had two sons, Bajirao and Babu. Bhagwan is son of Bajirao. Gopinath and Dagdu are sons of Babu. Namdev, Prabhu, Baliram and Sumanbai are children of Gopinath. Sudhakar, Vishnu (Petitioner in WP No. 3020 of 2025) and Anant (Petitioner in WP No. 3022 of 2025) are sons of Sudhakar. Bhagirathi and Gopinath (Petitioners in WP No. 3023 of 2025) are children of Sudhakar. Vishakha, Abhishek and Rajkanya are children of Vishnu. Hanumant

and Ashabai (Petitioner in WP No. 3011 of 2025) are children of Baliram.

7. On face of record it appears that, Respondent No. 2 Scrutiny Committee has granted “Koli Mahadev” Scheduled Tribe certificates in favour of paternal blood relatives of the petitioner as under;

Sr. no.	Name of Paternal Relative/ Validity Holder	Date of Validity	Relation with the petitioner
1.	Dnyanoba Bhagwan Mantre	15/03/2008	Cousin Grandfather
2.	Laxman Madan Mantre	23/05/2008	Cousin Uncle
3.	Hanumant Baliram Mantre	12/09/2008	Cousin Uncle
4.	Bibhishan Nivrutti Mantre	12/09/2008	Cousin Uncle
5.	Ashok Sopan Mantre	12/09/2008	Cousin Uncle
6.	Shriram Surybhan Mantre	15/12/2009	Cousin Uncle

8. Irrespective of above fact, this court passed an order in the following Writ petitions and directed the Respondent no. 2, Scrutiny Committee to issue conditional “Koli Mahadev” Scheduled Tribe certificates in favour of paternal blood relatives of the petitioners as under:

Sr. no.	WP Nos.	Name of the party	Date of Order
1.	382 of 2025	Gopinath Sudhakar Mantre V/s State of Maharashtra	10.01.2025
2.	9474 of 2023	Yogeshwar Laxman Mantre V/s State of Maharashtra	02.08.2023
3.	7583 of 2024	Yogita Laxman Mantre V/s State of Maharashtra	30.07.2024

9. The Respondent no. 2, Scrutiny Committee has not denied paternal blood relations between the petitioners and other validity holders. Indeed on 25.02.2025, the Respondent no. 2 Scrutiny Committee has passed the impugned order holding that the petitioners' paternal blood relatives obtained Scheduled Tribe certificate by suppressing material facts and on the basis of false information. Therefore, the validity holders are served with the notice for revocation of validities. However, said validities are not yet revoked.

10. In Writ Petition Nos. 3980 of 2025 (Hanumant Baliram Mantre and others V/s State of Maharashtra and others), the petitioners therein, who are blood relatives of this petitioners, have challenged the notice dated 13.03.2025 whereby they were called upon to explain as to why their validity certificate of "Koli Mahadev" should not be recalled. On 25.03.2025, this court issued notice and granted stay to the order of revocation of their validity. As on today, the said writ petition is pending for final decision. Therefore, the validities issued by the respondent No. 2 in favour of petitioners' blood relatives are in operation the said issue is subjudice before this court. Therefore, the petitioners are entitled to have validity certificates, which shall be coterminous with their blood relatives.

11. In cases of *Mah. Adiwasi Koli Mahadev 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 party with the blood relatives of the petitioners, the petitioners are entitled to have conditional validity subject to outcome of the decision in the proceedings in respect of the blood relatives of the petitioners, which the committee has decided to reopen.

12. Learned counsel for the petitioners voluntarily submitted that blood relatives of the petitioners 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.

13. The Petitioner in Writ Petition No. 2023 of 2025 appears to be the aspiring student for the professional course. Therefore, he is called upon to furnish undertaking that, in case, his caste 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.

14. In view of above discussion, the present Petitions deserve to be allowed partly and the impugned order dated 25.02.2025 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 Petitions are partly allowed.
- (ii) The impugned order dated on 25.02.2025, 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 certificates 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 and they shall also be subject to the result of Writ Petition No.3980 of 2025
 - (b) The petitioner in Writ Petition No. 3023 of 2025 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 Petitioners shall not claim any equity.
- (d) The Petitioners shall cooperate with the Scrutiny Committee.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

JPChavan