



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

WRIT PETITION NO. 3924 OF 2025

1. Suresh Balaji Gattuwar
Age: 33, Occupation: Student,
2. Rajesh Balaji Gattuwar
Age: 27, Occupation: Student,
3. Dinesh Balaji Gattuwar,
Age: 31, Occupation: Student,
4. Gangadhar Dhamanna Gattuwar,
Age: 51 Occupation: Service

All above R/o. Nara Galli,
Kundalwadi, Taluka Biloli,
District Nanded

... PETITIONERS

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai
2. The Scheduled Tribe Certificate
Scrutiny Committee,
Kinwat Division, Aurangabad,
Through its Member Secretary
3. The Chief Executive Officer,
Zilla Parishad, ZP Ground,
Station Road, Nanded – 431 603

... RESPONDENTS

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Mr. Sainath G. Jayewar, Advocate for the Petitioners
 Mr. R. K. Ingole, AGP for Respondent Nos. 1 and 2
 Ms Yogita Thorat, Advocate for Respondent No.3

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

DATE : 04.08.2025

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

1. Heard both the sides. With consent of both the sides, the matter is heard finally at the stage of admission.
2. The Petitioners are challenging the judgment and order dated 10.03.2025, passed by Respondent No.2 Scrutiny Committee, confiscating and invalidating their tribe certificate of "Mannervarlu" Scheduled Tribe.
3. As per the genealogical tree, the following paternal blood relatives of the Petitioners, are granted "Mannervarlu" Scheduled Tribe validity certificates by Respondent No.2 Scrutiny Committee, as well as this Court, as under:-

Sr. No.	Name	Issued on	Issued by
1.	Gattuwar Krishna Vankanna	20.01.2005	Committee
2.	Gattuwar Rajesh Narsimaloo	05.04.2006	Committee

3.	Gattuwar Suresh Vyankatti	03.07.2006	Committee
4.	Gattuwar Narendra Damanna	20.01.2007	Committee
5.	Gattuwar Shailendra Vyankatrao	25.07.2007	Committee
6.	Gattuwar Balaji Damanna	06.11.2007	Committee
7.	Gattuwar Rajesh Vyankatti	15.09.2008	Committee
8.	Gattuwar Nagesh Damanna	30.03.2010	Committee
9.	Gattuwar Mahesh Damanna	18.12.2023	High Court Writ Petition No.14100/2023 (Conditional)
10.	Gattuwar Rajesh Yashda	15.07.2024	High Court Writ Petition No.14772/2017 (Conditional)

4. The genealogical tree is not disputed by Respondent No.2 Scrutiny Committee.

5. Taking into consideration 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 a certificate of validity.

6. Since the paternal blood relatives of the Petitioners are having “Mannervarlu” Scheduled Tribe certificates granted by Respondent No.1 itself as well as this Court, subject to outcome of reverification, which have been proposed to be re-opened by Respondent No.2 Scrutiny Committee, therefore, considering parity, the Petitioners are also entitled to have conditional “Mannervarlu” Scheduled Tribe validity certificates subject to final outcome of the matters which the Respondent No.2 Scrutiny Committee has decided to re-open.

7. In view of the above discussion, the present Writ Petition deserves to be allowed and the impugned order dated 10.03.2025, 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 10.03.2025, passed by Respondent No.2 Scrutiny Committee, is hereby quashed and set aside.

(iii) Respondent No.2 Scrutiny Committee shall issue “Mannervarlu” Scheduled Tribe validity certificates in favour of the Petitioners within a period of four weeks, 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 blood relatives of the Petitioners, which the Respondent No.2 Scrutiny Committee may propose to re-open.
- (b) The Petitioners shall not claim any equity.
- (c) The Petitioners shall cooperate with the Scrutiny Committee.

[Y. G. KHOBRAGADE, J.]

[MANISH PITALE, J.]

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