



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

WRIT PETITION NO. 4137 OF 2025

1. SRUSHTI DNYANOBA KAJJEWAD
2. ANUJ ANGAD KAJJEWAD
3. SHREYA ANGAD KAJJEWAD
4. SHRIKANT RAM KAJJEWAD
5. ARNAV PRAKASH KAJJEWAD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

AND

WRIT PETITION NO. 4191 OF 2025

VARSHA YADHAVRAO KAJJEWAD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. P. V. Jadhavar, Advocate for the Petitioners

Mr. V. M. Kagne, AGP for the Respondents – State

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

DATE : 12.08.2025

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

1. In both these Petitions, the Petitioners are the paternal blood relatives, who have challenged the common impugned order dated 20.03.2025, passed by Respondent No.2 Scrutiny Committee, invalidating their “Koli Mahadev” Scheduled Tribe claim.

2. Considering the extreme urgency shown by the Petitioners, both the Petitions are taken up for final disposal at the stage of admission.

3. We have considered the strenuous submissions canvassed on behalf of both the parties. We have gone through the genealogical tree furnished in both these Petitions.

4. As per the genealogical tree, Vitthal Kajjewad, the forefather of the Petitioners had two sons, namely, Dhondiba and Gangaram. Pundaji, Gyanoba and Satba are the sons of Dhondiba. Vithoba and Shivaji are the sons of Pundaji. Jyotsna, Prakash and Rajesh, are the children of Vithoba. In Writ Petition No. 4137 of 2025, Petitioner No.5 Arnav is the son of Prakash. Chandar, Ganpat and Venkat are the sons of Gyanoba. Babu and Nilubai are the children of Chandar. Kerabai is the daughter of Venkat. Rama and Narsing are the sons of Gangaram. Vitthal, Pandurang, Shankar and Shamrao are the sons of Rama. Jaivant Ramchandra and Saraswati are the children of Vitthal. Ram and Angad are the sons of Jaivant. Nivrutti, Gundabai and Gangaram are the children of Narsing. Yadav, Jijabai and Dnyanoba are the children of Nivrutti. Shrushti (Petitioner

No.1 in W.P. No.4137 of 2025) and Atharva, are the children of Dnyanoba. Anuj and Shreya are the children of Angad. Shrikant is the son of Ram.

5. On face of record, it appears that the Scrutiny Committee has granted “Koli Mahadev” Scheduled Tribe validity certificate in favour of the following paternal blood relatives of these Petitioners.

Sr. No.	Name	Date of validity certificate
1.	Angad Jaiwantrao Kajjewad	15.05.2008
2.	Dnyanoba Nivrutti Kajjewad	19.01.2011
3.	Anil Yadavrao Kajjewad	04.06.2010
4.	Ram Jaiwantrao Kajjewad	06.02.2007

6. This Court has passed an order on 20.09.2023 in ***Writ Petition No.11754 of 2023 (Atharv Dnyanoba Kajjewad Vs. The State of Maharashtra and another)*** and directed the Scrutiny Committee to issue conditional validity certificate in favour of the Petitioner therein.

7. The Scrutiny Committee has not disputed about relations between the conditional validity holders and the present Petitions in both the Petitions.

8. Since the paternal blood relatives of the Petitioners are having “Koli Mahadev” Scheduled Tribe Validity Certificates,

considering the parity, the Petitioners are also entitled to have “Koli Mahadev” Scheduled Tribe validity certificates. However, such validity shall be subject to the outcome of the decision in the proceeding in respect of blood relatives of the Petitioners, which the Scrutiny Committee decided to re-open.

9. 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.

10. The Petitioners in Writ Petition No.4137 of 2025 appear to be aspiring students for 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. Similarly, the Petitioner in Writ Petition No.4191 of 2025, who is in employment against the reserved category, therefore, she is called upon to furnish an undertaking that, in case her caste certificate is invalidated by the Scrutiny Committee, in that event, no equity shall lie in her favour. In view of above discussion, the present Writ Petitions deserve to be allowed partly and the impugned order dated 20.03.2025, 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 20.03.2025, 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.
 - (b) The Petitioners in Writ Petition No.4137 of 2025 shall furnish an undertaking before the Registrar (Judicial) of this Court as well

as before the Scrutiny Committee and the Educational Institution with whom they will take admission for professional course, 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.]

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