



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

925 WRIT PETITION NO. 4202 OF 2025

1. PRAVIN TANAJI ADATRAO
2. PRAMOD TANAJI ADATRAO

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Vivekanand U. Jadhav, Advocate for the Petitioners
Mr. R. K. Ingole, AGP for the Respondents – State

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

DATE : 26.08.2025

ORDER (PER: Y. G. KHOBRAGADE, J.) :-

1. The challenge in the present Petition is to the order dated 19.03.2025, passed by Respondent No.2, Scrutiny Committee, invalidating “Koli Mahadev” Scheduled Tribe certificate of the Petitioners.

2. The Petitioners are intending to secure admission to the professional courses from the seat reserved for Scheduled Tribe category. The schedule of admissions has started. Therefore, considering the extreme urgency shown, the Petition is taken up for disposal at the stage of admission.

3. Heard both the sides at length.

4. As per the genealogical tree, Mr. Kedar had three sons, namely, Sakharam, Keru and Bajirao. Laxman is the son of Sakharam, Shankar is the son of Keru and Dagadu is the son of Bajirao. Dattatray, Anil, Vishnudas and Shankar, are the children of Laxman. Limbraj is the son of Shankar. Satish is the son of Limbraj, Shravani and Shritan are the children of Satish. Satyabhama, Parvati, Tanaji, Balasaheb and Suvarna, are the children of Shatrughna. Shravani and Shritan are the children of Satish. Pravin and Pramod are the sons of Tanaji.

5. On face of record, it appears that on 28.07.2011, the Scrutiny Committee has granted validity certificate of belonging to “Koli Mahadev” Scheduled Tribe in favour of Tanaji Shatrughna Adatrao, the father of the Petitioners. So also, on 04.08.2011, the Scrutiny Committee has granted validity certificate of belonging to “Koli Mahadev” Scheduled Tribe in favour of Satish Limbraj Adatrao. This Court has passed an order on 04.07.2024 in Writ Petition No.8377 of 2024 (Shravani Satish Adatrao and Shritan Satish Adatrao Vs. The State of Maharashtra and another) and granted validity certificates in favour of the Petitioners therein. However, by impugned order dated 19.03.2025, Respondent No.2

Scrutiny Committee held that the paternal blood relatives of the Petitioners had obtained the Scheduled Tribe Certificates by suppressing material facts and on the basis of false information, therefore, the validity holders were served with notices for revocation of their validities. However, it is not in dispute that the Respondent No.2 Scrutiny Committee has not invalidated or revoked the said validities in favour of the paternal blood relatives of the Petitioners.

6. 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 outcome of the decision in the proceeding in respect of blood relatives of the Petitioners, which the Respondent No.2 decided to re-open.

7. 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.

8. The learned counsel appearing for the Petitioners submitted that the Scrutiny Committee has issued notice of revocation of validity certificates issued to the blood relatives of the Petitioners, namely, **Satish**, Limbrao Adatrao, **Aparna** Anil Adadtrao and **Tanaji** Shatrughna Adatrao. It is submitted that the said blood relatives of the Petitioners are voluntarily ready and willing to execute undertakings before the Respondent No.2 Scrutiny Committee, that they will cooperate in the decision regarding revocation of their validities. In these circumstances, it would be just and proper to direct **Satish, Aparna and Tanaji**, to file separate undertakings before Respondent No.2 Scrutiny Committee, stating that they will cooperate with the said Committee in respect of the tribe proceedings.

9. Since the Petitioners appear to be aspiring candidates for admission to professional courses and they intend to secure

admission under the Scheduled Tribe reserved category, they are directed to furnish undertakings that, in the event of their claims are invalidated by Respondent No.2 Scrutiny Committee, they shall pay the tuition and admission fees applicable to a candidate from the open category, and no equity shall lie in their favour.

10. In view of above discussion, the present Petition deserves to be partly allowed and the impugned order dated 19.03.2025 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 Petition is partly allowed.
- (ii) The impugned order dated 19.03.2025, 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 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 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.
- (iv) **Satish, Aparna and Tanaji**, who are blood relatives of the Petitioners, shall furnish undertakings, immediately before Respondent No.2 Scrutiny Committee, stating that they will cooperate and appear before the Scrutiny Committee as and when called upon.
- (V). The Writ Petition is disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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