



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

WRIT PETITION NO. 5326 of 2025

Saurav Vishwas Kshirsagar,
Age: 21 years, Occu: Education,
R/o. Charatha, Tq & Dist. Beed**PETITIONER**

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralay, Mumbai-32
2. The Scheduled Tribe Certificate Scrutiny
Committee, Chh. Sambhajnagar Division,
Through its Deputy Director**RESPONDENTS**

....

WRIT PETITION NO. 5375 of 2025

Pallavi Kalyanrao Kshirsagar,
Age: 25 years, Occu: Education,
R/o. Charatha, Tq & Dist. Beed**PETITIONER**

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralay, Mumbai-32
2. The Scheduled Tribe Certificate Scrutiny
Committee, Chh. Sambhajnagar Division,
Through its Deputy Director**RESPONDENTS**

....

WRIT PETITION NO. 5361 of 2025

Pradnya Kalyanrao Kshirsagar
Age: 27 years, Occu: Education,
R/o. Charatha, Tq & Dist. Beed**PETITIONER**

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralay, Mumbai-32
2. The Scheduled Tribe Certificate Scrutiny
Committee, Chh. Sambhajinagar Division,
Through its Deputy Director **....RESPONDENTS**

....

Mr. Pratap V. Jadhavar, Advocate for the petitioners

Mr. V. M. Kagne, Mr. S. P. Sonpawale, Ms. S. S. Joshi, AGPs for
Respondents-State

....

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

DATE : 13.08.2025

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

1. In these petitions, the petitioners challenge the order dated 01.04.2025 passed by Respondent No.2 Scrutiny Committee, thereby invalidating their 'Koli Mahadev' Scheduled Tribe certificates.
2. Having regard to the strenuous submissions canvassed on behalf of both sides, we have gone through the petition paper book.
3. Needless to say, the petitioners are the aspiring students of professional courses and they require tribe validity certificates for the purpose of admission.
4. In all these petitions, the petitioners are cousins. As per the genealogical tree, Sitaram Shambhu Kshirsagar, the grandfather of the petitioners, had four children: Mandodari, Bhagvat, Pralhad and Gayabai.

Sheshkala, Gangadhar, Laxman and Malati are the children of Bhagvat. Kalyan, Vishwas and Haridas are the sons of Pralhad. In Writ Petition No.5326 of 2025, the petitioner Saurabh is the son of Vishwas Kshirsagar. In Writ Petition No.5361 of 2025, Pradnya and in Writ petition No.5375 of 2025, Pallavi are the daughters of Kalyan Pralhad Kshirsagar. Makrand, Madhavi and Mayuri are the children of Gangadhar.

5. On the face of record, it appears that on 26.12.2007, Respondent No.2 Scrutiny Committee granted 'Koli Mahadev' Scheduled Tribe validity certificate in favour of Kalyan Pralhad Kshirsagar, the father of the petitioners in Writ petition Nos.5361 and 5375 of 2025 and in favour of Laxman Bhagwantrao Kshirsagar on 31.08.2009. On 24.07.2018, this Court passed an order in Writ Petition No.7514 of 2018 (Mayuri Gangadhar Kshirsagar Vs. The State of Maharashtra and ors.) directing the Scrutiny Committee to issue conditional 'Koli Mahadev' Scheduled Tribe validity certificate.

6. Since the blood relatives of the petitioners are holding validity certificates as well as conditional validity certificates, therefore, as per 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 conditional certificates of validity.

7. The Petitioners appear to be aspiring students of professional courses and they intend to secure admissions under the Scheduled Tribe reserved category. 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. In view of above discussion, the present Petitions deserve to be allowed partly and the impugned order dated 01.04.2025 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 01.04.2025, 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 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 certificates are 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.]

HRJadhav