



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

WRIT PETITION NO. 5461 of 2025

Ayush Keshav Kore,
Age: 18 years, Occu: Education,
R/o. Sindala Lohara, Tq. Ausa,
Dist. Latur

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralay, Mumbai-32.
2. The Scheduled Tribe Certificate Scrutiny
Committee, Kinwat Head Quarter
Chh. Sambhajinagar,
Tq. & Dist. Chh. Sambhajinagar
Through its Deputy Director (R)

....RESPONDENTS

....
Mr. P. V. Jadhavar, Advocate for the Petitioner
Mr. V. M. Kagne, AGP for the Respondents-State
....

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

DATE : 18.08.2025

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

1. By the present petition, the petitioner takes exception to the order dated 29.01.2025 passed by Respondent No.2-Scrutiny Committee, thereby invalidating his 'Koli Mahadev' Schedule Tribe Certificate.
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 that, the petitioner is the aspiring student of medical professional course and he requires tribe validity certificate for the purpose of admission.

4. As per the genealogical tree, Bhivaji Kore, the forefather of the petitioner had two sons: Limbaji and Shankar. Triveni, Bhalchandra, Sambhaji and Baburao are the children of Limbaji. Manik, Motiram and Sunita are the children of Shankar. Dhanraj, Anita, Ganpat and Aruna are the children of Bhalchandra. Shrushti and Yash are the children of Dhanraj. Keshav and Hanmant are the sons of Manik. Ayush (Present petitioner) is the son of Keshav.

5. On the face of record, it appears that on 09.11.2010, Respondent No.2-Scrutiny Committee granted 'Koli Mahadev' Scheduled Tribe validity certificate in favour of Keshav Manik Kore, the natural father of the present petitioner, after considering the validity certificate issued in favour of Ganpat Bhalchandra Kore. Subsequently, on 18.02.2022, this Court passed order in ***Writ Petition No.1662 of 2022 (Srushti D/o Dhanraj Kore Vs. The State of Maharashtra & Ors.)*** and again on 08.08.2024 in ***Writ Petition No.8029 of 2024 (Yash Dhanraj Kore Vs. The State of Maharashtra & Another)***, directing the Scrutiny Committee to issue conditional 'Koli Mahadev' Scheduled Tribe certificates in favour of the

petitioners therein. Notably, Respondent No.2-Scrutiny Committee has not disputed the blood relationship between the petitioner and the other validity certificate holders.

6. On perusal of the impugned order, it appears that although notices for revocation of validity certificates have been served upon certain family members of the petitioner, as on today, their certificates remain intact and have not been cancelled. Therefore, considering the 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.

7. Needless to say that this Court has passed several orders granting conditional validity certificates in favour of the paternal blood relatives of the Petitioner. Therefore, the Petitioner is also entitled to have a conditional validity certificate subject to the final outcome of the matters which the Committee has decided to reopen.

8. The Petitioner appears to be an aspiring student seeking

admission to the medical professional course and intends to secure admission under the Scheduled Tribe (ST) reserved category. 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 candidate from open category and no equity shall lie in his favour.

9. In view of the above discussion, the present Petition deserves to be allowed partly and the impugned order dated 29.01.2025 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 29.01.2025, 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 certificate in favour of the Petitioner, 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 his blood relatives proposed by the Scrutiny Committee.
 - (b) The Petitioner 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 tribe validity is revoked, he would deposit the tuition fees and other charges applicable to the candidates from open category.

- (c) The Petitioner shall not claim any equity.
- (d) The Petitioner shall cooperate with the Scrutiny Committee.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

HRJadhav