



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

WRIT PETITION NO. 5652 OF 2025

1. Kiran s/o Sambhaji Surodwar
Age: 25 years, Occu: Student,
R/o. Waman Nagar, Purna Road, Nanded
2. Krushna S/o Sambhaji Surodwar
Age: 28 years, Occu: Student,
R/o. Waman Nagar, Purna Road, Nanded
3. Sambhaji Hanmant Surodwar
Age: 62 years, Occu: Retired,
R/o. Waman Nagar, Purna Road, Nanded ... **PETITIONERS**

VERSUS

1. The State of Maharashtra
Through its secretary,
Tribal Development Department,
Mantralaya, Mumbai – 32
2. The Scheduled Tribe Certificate
Scrutiny Committee, Kinwat,
Head Quarter, Chhatrapati Sambhajinagar,
District Chhatrapati Sambhajinagar,
Through its Member Secretary ... **RESPONDENTS**

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Mr. Yogesh B. Bolkar, Advocate for the Petitioners
Mr. S. P. Sonpawale, AGP for the Respondents – State

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

DATE : 04.08.2025

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

1. Heard learned counsel for the Petitioners and the learned AGP for the Respondents.
2. By the present Writ Petition, the Petitioners are assailing the order dated 02.03.2025 , passed by Respondent No.2 Scrutiny Committee, thereby invalidating their “Mannervarlu” Scheduled Tribe claim.
3. The learned counsel for the Petitioners took us through the genealogical tree of the Petitioners. The forefather of the Petitioners Shri Sambhaji Surodwar, had three sons, namely Lalu, Ramji and Sambhaji. Hanmantrao, Mohanrao and Dhruvatbai, are the children of Lalu. Petitioner No.3 Sambhaji is the son of Hanmantrao. Petitioner No.1 Kiran and Petitioner No.2 Krushna, are the sons of Petitioner No.3. Nanda, Sunita, Lalchand and Ramesh are the children of Mohanrao.
4. The record speaks that Respondent No.2 Scrutiny Committee has granted “Mannervarlu” Scheduled Tribe validity certificates in favour of Lalchand Mohanrao Surodwar on 09.06.2005, Sunita Mohanrao Surodwar on 16.05.2006 and Priyanka Sambhaji

Surodwar on 29.06.2011. The fact of issuance of “Mannervarlu” Scheduled Tribe validity certificate in favour of paternal blood relatives of the Petitioners is not disputed by Respondent No.2 Scrutiny Committee. However, the validity certificates have been allegedly obtained on the basis of false and fabricated entries. However, the said validity certificates are in existence till date. Therefore, the Petitioners are entitled to have “Mannervarlu” Scheduled Tribe certificates on the ground of parity 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 a certificate of validity.

5. In view of the above discussion, the present Writ Petition deserves to be allowed and the impugned order dated 02.03.2025,

passed by Respondent No.2 Committee, deserves 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 02.03.2025, 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 certificate of their blood relatives proposed by the Scrutiny Committee.
 - (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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