



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

155 WRIT PETITION NO. 5714 OF 2025

VISHAL MADHAV ANNAMWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

...

AND

156 WRIT PETITION NO. 5732 OF 2025

ASHWINI MADHAV ANNAMWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

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Mr. Pratap V. Jadhavar – Advocate for Petitioners

Mr. S.P. Sonpawale – AGP for Respondents, State

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

DATE : 25.08.2025

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

1. In both the petitions, the petitioners take exception to the common order dated 23.04.2025 passed by respondent No.2 – Scrutiny Committee, thereby invalidating their ‘Mannervarlu’ Scheduled Tribe claim.
2. Issue notice to the respondents. The learned A.G.P. waives service of notice on behalf of both the respondents.

3. Considering the urgency, the matter is taken up for final disposal at the motion stage. Heard both sides at length.

4. Having regard to the rival submissions canvassed on behalf of both sides, we have perused the petitions' paper books. Needless to say that, the petitioners are aspiring students of a professional medical courses and they require a tribe validity certificate for the purpose of admission.

5. As per the genealogical tree in both the petitions, Satwaji Annamwad, the forefather of the petitioners, had two sons namely, Iranna and Kashiram. Ramchandra Annamwar is the son of Iranna, while Kondiba and Iranna are the sons of Kashiram. Nagnath, Balaji, Laxman and Iresh are the sons of Ramchandra Annamwar. Atmaram is the son of Kondiba and Vithalrao is the son of Iranna. Amol and Anil are the sons of Iresh. Gangadhar and Digambar are the sons of Atmaram. Gangaram, Madhav and Shivaji are the sons of Vithalrao. Sainath and Aniket are the sons of Gangaram. Ashwini, Mahesh and Vishal are the children of Madhav and Naresh and Yogesh are the sons of Shivaji.

6. On the face of record, it appears that on 30.10.2023, a Division Bench of this Court passed an order in Writ Petition No. 13550 of 2023 (**Amol Iresh Annamwar Vs. State of Maharashtra and Anr.**) and directed respondent No.2 to issue a conditional Mannervarlu Scheduled Tribe Validity Certificates in favour of the petitioner therein.

7. The respondent No. 2 – Scrutiny Committee has not denied the paternal blood relations between the present petitioners and the other validity holders. However, by the impugned order dated 23.04.2025, respondent No.2 – Scrutiny Committee held that the paternal blood relatives had obtained the Scheduled Tribe Certificates by suppressing material facts and on the basis of false information, and 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 issued in favour of paternal blood relatives of the petitioners.

8. Considering the law laid down in the cases of **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and Ors.**, reported in AIR 2023 SC 1657, **Shweta Balaji Isankar Vs. State of Maharashtra and Ors.**, reported in 2018 SCC Online Bom. 10341, **Apoorva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and Ors.**, reported in 2010(6) Mh.L.J. 401, wherein it has been held 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 be issued a validity certificate. However, the said validity shall be co-terminus with the decision in the matter which the Committee may decide to reopen.

9. Since the petitioners appear to be aspiring candidates for admission to professional medical courses and they intend to secure admission under the Scheduled Tribe (ST) reserved category, they are directed to furnish undertakings that, in the event 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 the above discussion, the present petitions deserves to be partly allowed and the impugned common order dated 23.04.2025 passed by the 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 common order dated 23.04.2025 passed by the respondent No.2 – Scrutiny Committee is hereby quashed and set aside.
- iii. Respondent No.2 – Scrutiny Committee shall immediately issue ‘Mannervarlu’ Scheduled Tribe validity certificate in favour of the petitioners, which shall be subject to the 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, as proposed by the Scrutiny Committee.

(b) The petitioners shall furnish undertakings before the Registrar (Judicial) of this Court, as well as before respondent No.2 – Scrutiny Committee and the Educational Institution with which they seek admission for a professional medical course, stating that in the event their caste validity is revoked, they shall deposit the tuition fees and other charges applicable to candidates from the open category.

(c) The petitioners shall not claim any equity.

(d) The petitioners shall cooperate with the Scrutiny Committee.

iv. The writ petitions are disposed of. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)