



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

45 WRIT PETITION NO. 6121 OF 2025

SANJIVANI SANJAY BONLEWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

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Mr. Pratap V. Jadhavar – Advocate for Petitioner

Ms. V.N. Patil Jadhav – 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. By the present petition, the petitioner takes exception to the order dated 21.04.2025 passed by respondent No.2 – Scrutiny Committee, thereby invalidating her '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 petition paper book. Needless to say that, the petitioner is the aspiring student of a professional medical course and he

requires tribe validity certificate for the purpose of admission.

5. As per the genealogical tree, Shri. Laxman Bonlewad, great-grandfather of the petitioner, had two sons, namely Rama and Ganpati. Laxman is the son of Rama, while Maroti, Kerba and Shivaji are the sons of Ganpati. Narsing, Balaji, Shanta and Sanjay are the children of Laxman. Shakubai, Shalubai, Ranjana, Santosh and Kamal are the children of Maroti. Pandurang, Anand and Jayashri are the children of Kerba. Bhaskar, Ravikumar and Jyostna are the children of Shivaji. Gajanan and Shriram are the sons of Narsing. Sarika and Mahesh are the children of Balaji. Sanjivani (the present Petitioner), Rohini and Laxmikant are the children of Sanjay. Manaswi, Omsai and Vaishnavi are the children of Santosh. Sandhya and Ganesh are the children of Pandurang. Gayatri and Prashant are the children of Anand. Samiksha and Shivansh are the children of Bhaskar, while Shravya and Reyarth are the children of Ravikumar.

6. On the face of record, it appears that respondent No.2 – Scrutiny Committee granted a Mannervarlu validity certificates in favour of Shivaji Ganpatrao Bonlewad, cousin grandfather of the petitioner and other family members, namely Santosh Marotirao Bonlewad, Bhaskar Shivaji Bonlewad, Ravikumar Shivaji Bonlewad, Jyostna Shivaji Bonlewad, Anant Kerba Bonlewad and Shivaji Ganpatrao Bonlewad. A Division Bench of this Court, by order dated 03.09.2024 passed an order in Writ

Petition No. 9423 of 2024 (**Manasvi Santosh Bonlewad Vs. The State of Maharashtra and Anr.**) and Writ Petition No. 9481 of 2024 (**Ganesh Pandurang Bonlewad Vs. The State of Maharashtra and Anr.**), directed respondent No.2 to issue a conditional Mannervarlu Scheduled Tribe Validity Certificates in favour of the petitioners therein.

7. The respondent No. 2 – Scrutiny Committee has not denied the paternal blood relations between the present petitioner and the other validity holders. However, by the impugned order dated 21.04.2025, 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 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 petitioner is 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 petitioner appears to be an aspiring candidate for admission to a professional medical course and intends to secure admission under the Scheduled Tribe (ST) reserved category, she is directed to furnish an undertaking that, in the event her claim is invalidated by respondent No. 2 – Scrutiny Committee, she shall pay the tuition and admission fees applicable to a candidate from the open category and no equity shall lie in her favour.

10. In view of the above discussion, the present petition deserves to be partly allowed and the impugned order dated 21.04.2025 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 petition is partly allowed.
- ii. The impugned order dated 21.04.2025 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 petitioner, which shall be subject to the following conditions :

(a) The caste validity certificate shall be subject to the outcome of the re-verification of the validity certificates of her blood relatives, as proposed by the Scrutiny Committee.

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

(c) The petitioner shall not claim any equity.

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

iv. The writ petition is disposed of. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)