



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 WRIT PETITION NO. 9847 OF 2025

SAYLI RAMESH CHOUDHARI AND ANOTHER

VERSUS

SCHEDULE TRIBE CERTIFICATE SCRUTINY COMMITTEE KINWAT

...

Mr. Umesh B. Gite – Advocate for Petitioners

Mr. R.K. Ingole – AGP for Respondents, State

...

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

DATE : 25.08.2025

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

1. By the present petition, the petitioners take exception to the order dated 07.04.2025 passed by respondent – Scrutiny Committee, thereby invalidating their 'Rajgond' Scheduled Tribe claim.
2. Issue notice to the respondent. The learned A.G.P. waives service of notice on behalf of sole respondent.
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 petitioners are aspiring students of a professional medical course and

they require a tribe validity certificate for the purpose of admission.

5. As per the genealogical tree, Sangappa Choudhri, the great-grandfather of the petitioners, had two sons, namely Shivappa and Narsappa. Kishan and Mohan are the sons of Shivappa, while Vitthal, Vyankat and Ramesh are the sons of Narsappa. Vyankat and Shivaji are sons of Kishan. Shubham and Shubhangi are the children of Vyankat. Swati, Sweta and Sudheer are the children of Vyankat. Kishor and Abhishek are the sons of Shivaji.

6. On the face of record, it appears that a Division Bench of this Court passed an order in Writ Petition No.11743 of 2023 (**Rohit Ramesh Choudhari Vs. The Scheduled Tribe Certificate Scrutiny Committee, Kinwat and Anr.**), in Writ Petition No. 2665 of 2022 (**Shubham Vankatrao Choudhari Vs. The Scheduled Tribe Certificate Scrutiny Committee, Kinwant and Ors.**), in Writ Petition No.10883 of 2023 (**Kishor Shivaji Choudhari Vs. Scheduled Tribe Certificate Scrutiny Committee, Kinwat and Anr.**) and in Writ Petition No.9172 of 2019 (**Akshata d/o. Bhagawan Choudhari Vs. Scheduled Tribe Certificate Scrutiny Committee and Anr.**) and granted conditional validity of belonging to Rajgond Scheduled Tribe in favour of the petitioners therein. The respondent – Scrutiny Committee has not denied the paternal blood relations between the present petitioners and the other validity holders. However, by the impugned order dated 07.04.2025, respondent – 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 – Scrutiny Committee has not invalidated or revoked the said validities issued in favour of paternal blood relatives of the petitioners.

7. Considering the law laid down in the cases of **Maharashtra Adiwas**
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.

8. Since the petitioners appear to be aspiring candidates for admission
to professional engineering 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 – 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.

9. In view of the above discussion, the present petition deserves to be partly allowed and the impugned order dated 07.04.2025 passed by the respondent – 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 07.04.2025 passed by the respondent – Scrutiny Committee is hereby quashed and set aside.
- iii. Respondent – Scrutiny Committee shall immediately issue ‘Rajgond’ 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 – Scrutiny Committee and the Educational Institution with which they seeks admission for a professional engineering 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 petition is disposed of. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

Pooja Kale/