



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

WRIT PETITION NO. 8065 OF 2025

1. Gangadhar Saylu Pentawar
Age: 35 years, Occupation: Student,
R/o. At and Post Kundalwadi,
Taluka Biloli, District Nanded
2. Akash Sailu Pentawar
Age: 19 years, Occupation: Student,
R/o. At and Post Kundalwadi,
Taluka Biloli, District 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 Division,
Aurangabad,
Through its Member Secretary

... RESPONDENTS

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Mr. Sainath G. Jayewar, Advocate for the Petitioners

Mr. S. V. Hange, 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 Petition, the Petitioners take exception to the order dated 02.05.2025, passed by Respondent No.2 Scrutiny Committee, thereby invalidating their claim to belong to the “Mannervarlu” Scheduled Tribe.

3. Having regard to the submissions canvassed on behalf of both the sides, we have gone through the genealogical tree produced by the petitioners at page No. 141. The Scrutiny Committee has not raised any objection with regard to the said genealogical tree.

4. On face of the record, it appears that the Scrutiny Committee has passed the orders on different dates and granted “Mannervarlu” Scheduled Tribe validity certificates in favour of paternal blood relatives of the Petitioners as under:-

Sr. No.	Name	Date of validity certificate
1.	Arun Sayanna Pentawar	18.06.2009
2.	Digambar Gangadhar Pentawar	08.08.2011
3.	Sunita Sayalu Pentawar	14.09.2011

5. Respondent No. 2 Scrutiny Committee has not disputed that the paternal blood relatives of the Petitioners have been granted Scheduled Tribe validity certificates. However, the learned AGP submitted that the blood relatives of the Petitioners, who have been granted validity certificates, have waived the notice pertaining to revocation proceedings. Therefore, the Petitioners are not entitled for validity certificates. Hence, prayed for dismissal of the Writ Petition.

6. Needless to say that the paternal blood relatives of the Petitioners are having “Mannervarlu” Scheduled Tribe validity certificates, therefore, taking into consideration 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.

7. In view of above, the impugned order dated 02.05.2025 passed by Respondent No.2 Scrutiny Committee, is hereby quashed and set aside.

8. Respondent No.2 Scrutiny Committee shall issue 'Mannervarlu' Scheduled Tribe validity certificate in favour of the Petitioners, within a period of four weeks from today, 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 blood relatives of the Petitioners, which the Respondent No.2 Scrutiny Committee may propose to re-open.
- (b) The Petitioners shall not claim any equity.
- (c) The Petitioners shall cooperate with the Scrutiny Committee.

9. Accordingly, the Writ Petition is disposed of.

[Y. G. KHOBRAGADE, J.]

[MANISH PITALE, J.]