



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

WRIT PETITION NO. 8615 OF 2025

1. Narendra S/o Arvind Sidhewad
Age: 18 years, Occu. Education,
R/o. Degaon, Tq. Naigaon (Kh),
Dist. Nanded
2. Akansha D/o Arvind Sidhewad
Age: 20 years, Occ. Education,
R/o. Degaon, Tq. Naigaon (Kh),
Dist. Nanded

... PETITIONERS

VERSUS

1. The State of Maharashtra
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai
2. The Scheduled Tribe Certificate
Verification Committee, Kinwat
Headquarter at Chh. Sambhajinagar,
Through its Dy. Director (R),
Chh. Sambhajinagar

... RESPONDENTS

....
Mr. Sunil M. Vibhute, Advocate for the Petitioners
Mr. R. K. Ingole, AGP for the Respondents – State
....

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

DATE : 22.07.2025

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

1. Heard the learned counsel for the Petitioners and the learned AGP for the Respondents. With consent of both the parties, the matter is heard finally at the stage of admission.

2. By the present Petition under Article 226 of the Constitution of India, the Petitioners take exception to the order dated 21.05.2025, passed by Respondent No.2 Scrutiny Committee, thereby invalidating the “Mannervarlu” Scheduled Tribe claim of the Petitioners.

3. Having regard to the submissions canvassed on behalf of both the sides, we have gone through the record. The learned counsel appearing for the Petitioners took us through the genealogical tree. As per the genealogical tree, Shri Mangesh S/o Ashok Sidhewad is the grandson of Narsing Sidhewad. The Petitioners are the cousins of Mangesh s/o Ashok Sidhewad.

4. A Division Bench of this Court (Coram: Mangesh S. Patil and Shailesh P. Brahme, JJ.) delivered order on 14.08.2024 in Writ

Petition No.13809 of 2023 (Mangesh Ashokrao Sidhewad Vs. The State of Maharashtra and another), and granted conditional validity subject to final outcome of the case of Sudhakar, who is second degree parental uncle. 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.

5. The Respondent No.2 Scrutiny Committee has passed the impugned order without assigning cogent and substantial reasons. Therefore, the impugned order is not sustainable in the eyes of law. Hence, it needs to be quashed and set aside. Accordingly, we proceed to pass the following order:-

ORDER

- (i) The Writ Petition is allowed.
- (ii) The impugned order dated 21.05.2025, 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 the following conditions:-
 - (a) The caste validity certificate shall be subject to the outcome of the re-verification of the validity certificates 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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