



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

WRIT PETITION NO. 8196 OF 2025

1. Santoshi Shankar Jayewar
Age: 27 years, Occupation: Student
2. Dattatraya Maroti Jayewar,
Age: 40 years, Occupation: Service
3. Shankar Gaganna Jayewar,
Age: 53 years, Occupation: Service
4. Shrilekha Sainath Jayewar,
Age: 14 years, Occupation: Student
5. Nikhil Ganesh Jayewar
Age: 17 years, Occupation: Service

Petitioner Nos. 4 and 5 through guardian
Petitioner No.3, Above all R/o: 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
3. The Sub-Divisional Officer,
Biloli, Nanded, Maharashtra

4. The Chief Administrative Officer,
Atomic Energy Education Society (Regd.)
Central Office, Western Sector,
Anushaktinagar, Mumbai-400 094
5. The Chief Officer,
Nagar Parishad, Kundalwadi,
Office of Chief Officer,
Kundalwadi, Taluka Bilili,
District Nanded

... RESPONDENTS

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Mr. A. D. Sonkawade, Advocate for the Petitioners
Ms Saie S. Joshi, AGP for the Respondent Nos. 1 to 3 – State
Ms Sudha S. Kulthe (Chintamani), Advocate for Respondent No.4

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

DATE : 22.07.2025

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

1. By the present Writ Petition under Article 226 of the Constitution of India, the Petitioners who are the blood relatives, have assailed the order dated 09.05.2025, passed by Respondent No.2 Scrutiny Committee, thereby invalidating “Mannervarlu” Scheduled Tribe claim of the Petitioners.

2. Issue notice to the Respondents. The learned AGP waives notice for Respondent Nos. 1 to 3. Ms Sudha S. Kulthe, the learned

counsel waives notice for Respondent No.4. Respondent No.5 is a formal party, therefore, notice in respect of Respondent No.5 is dispensed with.

3. Having regard to the submissions canvassed on behalf of both sides, we have gone through the record.

4. Petitioner No.1 is the daughter of Petitioner No.3. Petitioner No.2 Dattatraya is the son of Maroti Jayewar. Maroti is the son of Naganna. Petitioner No.4 is the daughter of Sainath. Sainath is the son of Nagnath. Petitioner No.5 Nikhil is the son of Ganesh. Shri Sainath and Ganesh are the sons of Gangadhar and grandchildren of Naganna. As per the record, 8 conditional validities have been granted by this Court by passing orders in various Writ Petitions, so also, 8 validity certificates have been granted by Respondent No.2 under various orders in favour of the Petitioners' blood relatives as under:-

Sr. No.	Name	Date	Granted by
1.	Jagdish Lachamanna Jayewar	27.05.2008	Committee
2.	Gangadhar Sayanna Jayewar	27.05.2008	Committee
3.	Marothi Pottanna Jayewar	30.09.2008	Committee
4.	Raju Lachamanna Jayewar	01.06.2009	Committee

5.	Chiranjeev Krishna Jayewar	07.06.2010	Committee
6.	Shankar Nagnath Jayewar	20.07.2010	Committee
7.	Jayewar Manisha Shankar	14.10.2010	Committee
8.	Rupali Krushna Jayewar	18.12.2010	Committee
9.	Krushna Nagnath Jayewar	15.10.2011	Committee
10.	Ravi Dattatray Jayewar	04.12.2023	High Court WP 11740 of 2018 Conditional
11.	Shyam Gangadhar Jayewar	04.12.2023	High Court WP 11719 of 2018 Conditional
12.	Shubham Gangadhar Jayewar	04.12.2023	High Court WP 11719 of 2018 Conditional
13.	Sainath Gangadhar Jayewar	04.12.2023	High Court WP 11719 of 2018 Conditional
14.	Sainath Nagnath Jayewar	13.02.2025	High Court WP 11930 of 2024 Conditional
15.	Vinayak Shankar Jayewar	13.02.2025	High Court WP 11930 of 2024 Conditional
16.	Swetha Sainath Jayewar	13.02.2025	High Court WP 11936 of 2024 Conditional
17.	Dinesh Krishna Jayewar	25.02.2025	High Court WP 291 of 2025 Conditional

5. Since the paternal blood relatives of the Petitioners have conditional validity certificates, they are also entitled to have

“Mannervarlu” Scheduled Tribe certificates on parity with their paternal relatives.

6. 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 certificates of validity.

7. The learned AGP submitted that on 04.12.2023, the Division Bench of this Court passed the order in Writ Petition No.11719 of 2018 (Shyam Gangadhar Jayewar and others Vs. The State of Maharashtra and others), and granted conditional validity. Accordingly, the Petitioners therein served with notice. However, the said notice has been challenged by the Petitioners therein in Writ Petition No.11635 of 2021 and the said Writ Petition is pending.

Therefore, the Petitioners are entitled for Scheduled Tribe validity certificates.

8. Needless to say that, this Court has passed the orders in various Writ Petitions as mentioned above and granted conditional Scheduled Tribe Certificates in favour of blood relatives of the Petitioners, the present Petitioners are also entitled to have “Mannervarlu” Scheduled Tribe validity certificates, subject to the result of Writ Petition No.11635 of 2021. Accordingly, we are inclined to grant the present Petition and we proceed to pass the following order:-

ORDER

- (i) The Writ Petition is allowed.
- (ii) The impugned order dated 09.05.2025, 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 following conditions:-
 - (a) The caste validity certificate shall be subject to the outcome of the re-verification of the validity certificate 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. KHOBRADE, J.]

[MANISH PITALE, J.]

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