



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

969 WRIT PETITION NO. 9437 OF 2025

SANIKA MAROTI MUPADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. A.S. Golegaonkar h/f.
Golegaonkar Madhur A.
AGP for Respondents/State : Mr. S.P. Sonpawale
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CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.
DATE : 31st July, 2025

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

1. By the present petition, the Petitioner takes exception to the order dated 20.03.2025 passed by the Respondent No.2/Scrutiny Committee thereby invalidating her “Mannervarlu” Scheduled Tribe certificate.
2. Issue notice to the Respondents. The learned AGP waives notice on behalf of all the Respondents. Considering the urgency, the matter is taken up for final disposal at the motion. Heard both the sides at length.

3. Having regard to the rival submissions canvassed on behalf of both the sides, we have gone through the petition paper book. As per the genealogical tree, Lingoji was having children namely Gangadhar, Chinnappa, Maroti and Laxmibai. Maroti, Saraswati and Santosh are children of Gangadhar. Savitra, Savita, Nagesh and Poshetti are the children of Chinnappa. Archana, Ganesh and Jitendra are the children of Maroti. On 19.09.2005, the Respondent No.2/Scrutiny Committee passed an order and granted Mannervarlu Scheduled Tribe validity certificate in favour of Maroti Gangadhar Mupade, the father of present Petitioner. Further, on 23.07.2008 the Respondent No.2/Scrutiny Committee passed an order and granted Mannervarlu Scheduled Tribe validity certificate in favour of Maroti Lingoji Mupade, the cousin grandfather of the present Petitioner. However, on perusal of the impugned order dated 20.03.2025 it appears that the paternal blood relatives of the Petitioner who are having validity certificates are served with show cause notices as to why their validities should not be recalled but till date the Scrutiny Committee has not invalidated said validities. Therefore, considering parity, the present Petitioner is also entitled for a validity certificate co-terminus with her blood relatives which are subjected for re-opening as per the law laid down in **Mah. Adivasi Thakur Jamat Swarakshak Samiti Vs. State of Maharashtra and others; AIR 2023 SC 1657, Shweta Balaji Isankar Vs. The State of**

Maharashtra and others; 2018 SCC OnLine Bom. 10363 and Apporva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and others; 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 Petitioner is entitled to have a certificate of validity. However, the said validity shall be co-terminus with the decision in the matter which the committee may decide to re-open.

4. Since the present Petitioner is paternal blood relative of other candidate in whose favour tribe validity certificate is directed to be issued, therefore, the Petitioner is entitled to have a Mannervarlu Scheduled Tribe Certificate on the ground of parity as per the law laid down in the above referred case laws. Therefore, we are inclined to allow the present petition partly. Accordingly, we proceed to pass the following order:

ORDER

- i. The impugned order dated 20.03.2025 passed by the Respondent No.2/Scrutiny Committee is hereby quashed and set aside.
- ii. The Respondent No.2/Scrutiny Committee is hereby directed to issue a “Mannervarlu” Scheduled Tribe validity certificate to the Petitioner

forthwith. However, the validity shall be subject to the final outcome of the matters which the Committee may decide to re-open.

iii. The Writ Petition is disposed of.

[Y.G. KHOBRADE, J.]

[MANISH PITALE, J.]