



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

WRIT PETITION NO. 7580 OF 2025

1. Rohini D/o Santosh Rokade
Age 20 years, Occu. Education,
R/o. Dongarshelaki, Taluka Udgir,
District Latur
2. Shubhangi D/o Santosh Rokade,
Age 17 years, Occu. Education,
Since minor through her guardian
Father Santosh s/o Narayan Rokade,
Age 43 years, Occu. Labourer,
R/o as above
3. Pramod s/o Vinod Rokade,
Age 20 years, Occu. Education,
R/o as above
4. Govind s/o Vinod Rokade,
Age 18 years, Occu. Education,
R/o as above
5. Ankita D/o Gopal Rokade,
Age 17 years, Occu. Education,
Since minor through her guardian
Gopal s/o Narayan Rokade,
Age 37 years, Occu. Labourer
R/o as above

... PETITIONERS

VERSUS

1. The State of Maharashtra
Through Secretary,
Department of Tribal Development,
Mantralaya, Mumbai-32

2. Scheduled Tribe Certificate
Scrutiny Committee, Kinwat,
Head Office Chhatrapati Sambhajnagar
Through its Member Secretary

... **RESPONDENTS**

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Mr. Deepak D. Chaudhari, Advocate h/f Mr. Omprakash Sayanna
Sunkewar, Advocate for the Petitioners
Mr. V. M. Kagne, AGP for the Respondents – State

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**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.

2. By the present Petition under Article 226 of the
Constitution of India, the Petitioners take exception to the order dated
02.05.2025, passed by Respondent No.2 Scrutiny Committee, thereby
invalidated “Koli Mahadev” Scheduled Tribe caste claim of the
Petitioners.

3. The Petitioners who are the paternal blood relatives of
each other, have claimed that they belong to “Koli Mahadev”

Scheduled Tribe. The Division Bench of this Court (Coram: Mangesh S. Patil and Shailesh P. Brahme, JJ.), has delivered order dated 31.07.2023 in Writ Petition Nos. 8419 of 2021 and 8421 of 2021, and granted conditional Scheduled Tribe validity certificate in favour of the Petitioners Chandrakant Narsing Rokde and Suryakant Narsing Rokde.

4. By the impugned order dated 02.05.2025, Respondent No.2 Scrutiny Committee, invalidated the caste claim of the Petitioners on the ground that in the school record of the blood relatives of the Petitioners though “Koli” caste is shown, but, “Mahadev” is written in different ink.

5. The learned AGP supports the impugned judgment and order. The Scrutiny Committee is justified in discarding the validity certificate of the father. It is rightly noticed by the Committee that the school record of the close relatives Vithal, Narayan, Narsing, Ranjanabai, Santosh, Sanjana and Vinod was tampered. He would submit that the Committee has decided to reopen the validity certificate issued to father.

6. As per the genealogy of the Petitioners great grand father Shri Gopal Govind Rokade, had two sons, namely, Narayan Gopal Rokade and Vithal Gopal Rokade.

7. Shri Santosh, Gopal and Vinod are the sons of Narayan. Narsing is the son of Vithal.

8. The Petitioner No.1 Rohini and Petitioner No.2 Shubhangi, are the daughters of Santosh. Petitioner Nos. 3 and 4 are the sons of Vinod Narayan Rokade. Petitioner No.5 is the daughter of Gopal Narayan Rokade and Chandrakant is the son of Narsing Rokade.

9. On 25.07.2011, Respondent No.2 Scrutiny Committee granted validity certificate in favour of Narsing Vithal Rokade, the uncle of the Petitioners. So also, on 31.07.2023, the Division Bench of this Court has passed an order in Writ Petition No.8419 of 2021 and granted conditional validity in favour of Chandrakant Narsing Rokde. 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.

10. Therefore, considering the parity with other paternal blood relatives of the Petitioners, the Petitioners are also entitled to have “Koli Mahadev” Scheduled Tribe certificate to enjoy the same social status.

11. In view of above discussions, we hold that the impugned order is arbitrary and unsustainable. Accordingly, we are inclined to grant the present Petition and proceed to pass the following order:-

ORDER

- (i) The Writ Petition is allowed.
- (ii) The impugned order dated 02.05.2025, passed by Respondent No.2 Scrutiny Committee, is hereby quashed and set aside.
- (iii) Respondent No.2 Scrutiny Committee shall issue “Koli Mahadev” 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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