



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

WRIT PETITION NO. 8008 OF 2025

1. Kum. Varsha Poshatti Koshakewar
Age: 30 years, Occupation: Student,
2. Poshatti Narsimlu Koshakewar
Age: 55 years, Occupation: Service,

Above all 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
3. The Sub-Divisional Officer,
Biloli, Nanded,
Maharashtra
4. The Chief Executive Officer,
CIDCO Colony, Near Shivaji Statue,
ZP Ground, Railway Station Road,
Shivaji Nagar, Nanded 431 602

...RESPONDENTS

....
Mr. Sainath G. Jayewar, Advocate for the Petitioner
Mr. R. K. Ingole, AGP for the Respondents – State
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**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 25.07.2025

ORDER (Per – Y. G. Khobragade, J.) :-

1. Leave is granted to correct the name of Petitioner No.2. Correction be carried out forthwith.
2. Heard the learned counsel for the Petitioners and the learned AGP for the Respondents. With consent of both the sides, the matter is heard finally at the stage of admission.
3. By the present Petition, the Petitioners take exception to the order dated 22.05.2025 passed by Respondent No.2 Scrutiny Committee, invalidating their caste claim as “Mannervarlu” scheduled tribe.
4. As per the genealogical tree, Sayanna Poshatti Koshakewar is having two sons, namely, Narsimalu and Tikaji . Petitioner No.2 is the son of Narsimlu. Petitioner No.1 is the daughter of Petitioner No.2.

5. On perusal of record, it appears that on 16.06.2010, Respondent No.2 Scrutiny Committee has issued 'Mannervalu' Scheduled Tribe certificate, in favour Vishnudas Poshatti Koshakewar, the son of Petitioner No.2 and brother of Petitioner No.1. 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.

6. In view of above, the impugned order dated 22.05.2025 passed by Respondent No.2 Scrutiny Committee, is hereby quashed and set aside.

7. Respondent No.2 Scrutiny Committee shall issue 'Mennervarlu' 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.

8. Accordingly, the Writ Petition is disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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