



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

WRIT PETITION NO. 8391 OF 2025

Venkat s/o Sheshrao Padalwar ... **Petitioner**
Age 58 years, Occu: Service
R/o Eklara, Tq. Mukhed, Dist. Nanded

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai
2. The Scheduled Tribes Caste Certificate ... **Respondents**
Verification Committee, Kinwat,
Headquarter at Chh. Sambhajinagar
Through its Dy. Director (R)
3. The Deputy Director,
Sports and Youth Services,
Latur Division, Dist. Latur
4. The Commanding Officer,
Maharashtra Batalian
State Cadet Corps, Taroda Kh.
Malegaon Road, Nanded.

Mr. S. M. Vibhute h/for Mr G. K. Chinchole, Advocate for the petitioner
Ms. Neha B. Kamble, AGP for the Respondents/State

**CORAM : MANISH PITALE &
Y. G. KHOBRAGADE, JJ.**
DATE : 23.07.2025

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

1. **Rule.** Rule is made returnable forthwith. With the consent of both the sides, petition is heard finally at the stage of admission.

2. By the present petition under Article 226 of the Constitution of India, the Petitioner takes exception to the order dated 23.06.2025 passed by Respondent No.2 Scheduled Tribes Verification Committee, thereby invalidating "Mannervarlu" Schedule Tribe certificate of the petitioner.

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

4. The learned counsel appearing for the petitioner took us through the genealogical tree. As per genealogical tree, the petitioner's great grandfather, namely Malkaji Eknath Padalwar had six sons namely S/Shri Vyankanna, Eknath, Jaywant, Gangaram Virbhandra and Shankar. S/Shri Govind, Sheshrao, Pandurang and Shivaji are the sons of Vyankanna Malkaji Padalwar. The petitioner Venkat is the son of Sheshrao Vyankanna Padalwar. Balaji is the son of Ganpat Eknath Padalwar. Eknath Malkaji Padalwar has five sons namely Hanmant, Ganpat, Anand, Suryakant and Chandrakant. Sneha (validity holder) is the daughter of Chandrakant. Gangasagar is the daughter of the present petitioner. Vaishnavi Ramakant Padalwar is the daughter of Shankar Malkaji Padalwar.

5. This Court delivered orders dated 04.10.2017 in Writ Petition No. 10378 of 2017 (Sneha Chandrakant Padalwar Vs. The State of

Maharashtra and others) and dated 03.03.2025 in Writ Petition No. 2946 of 2025 (Gangasagar Vyankatrao Padalwar Vs. State of Maharashtra), which was subsequently corrected on 10.03.2025. In both these petitions, this Court has directed the Scrutiny Committee to issue conditional validity certificates of belonging to "Mannervarlu" Scheduled Tribe, in favour of Sneha, neice and Gangasagar, daughter of the petitioner. Respondent No.2 has not denied the blood relations between the conditional validity holders and the petitioner.

7. Taking into consideration the law laid down in cases of *Mah. Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors.*; AIR 2023 S.C. 1657, *Shweta Balaji Isankar V/s. 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 petitioner is entitled to have a certificate of validity. However, the respondent Committee passed the impugned order and invalidated the "Mannervarlu" Scheduled Tribe claim of the petitioner without cogent and substantial reason.

8. In view of above discussion, present petition deserves to be allowed and impugned order dated 23.06.2025 passed by the Respondent No. 2 Committee needs to be quashed and set aside. Accordingly, we proceed to pass the following order:

ORDER

- (i) Writ petition is allowed.
- (ii) Impugned order dated 23.06.2025 passed by the Respondent No. 2 is hereby quashed and set aside.
- (iii) Respondent No. 2/Committee shall immediately issue tribe validity certificate in favour of the petitioner as belonging to 'Mannervarlu ' Scheduled Tribe, which shall be subject to the final outcome of the matters which the Committee has decided to re-open.
- (iv) Rule is made absolute accordingly.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

JPChavan