



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

WRIT PETITION NO. 8832 OF 2025

Anjali d/o Ashok Jadhav ... **Petitioner**
Age 19 years, Occu: Student
R/o Vikramnagar, Barshi Road, Latur

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai
2. The Scheduled Tribes Certificate ... **Respondents**
Scrutiny Committee, Kinwat,
Headquarter at Chh. Sambhajinagar
Through its Member Secretary

Mr. Sushant C. Yeramwar, Advocate for the petitioner

Ms. Neha B. Kamble, AGP for the Respondents/State

**CORAM : MANISH PITALE &
Y. G. KHOBRADE, JJ.**

DATE : 23.07.2025

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

1. Heard learned counsel for the petitioner.
2. By the present petition under Article 226 of the Constitution of India, the Petitioner takes exception to the order dated 03.07.2025 passed by Respondent No.2 Scheduled Tribes Verification Committee, thereby invalidating "Thakur" Schedule Tribe certificate of the petitioner.

3. Issue notice to the respondents. Learned AGP waives notice on behalf of both the respondents.

4. Since the petitioner requires tribe validity certificate for her education purpose, considering the exigences, the petition is taken up for final hearing at the admission stage.

5. Having regard to the submissions canvassed on behalf of both the sides, we have gone through the petition paper book.

6. The learned counsel appearing for the petitioner took us through the genealogical tree. As per genealogical tree, the petitioner's forefather, namely Pandharinath had four sons and two daughters, namely Ambadas, Shivaji, Ganpat, Bhagwat, Sarubai and Yamunabai. Rajabhau is the son of Ambadas Jadhav. Shivaji Pandharinath Jadhav is having two sons namely Ashok and Kishor. The present petitioner is real sister of Anand Ashok Jadhav and granddaughter of Shivaji.

7. On 19.06.2024, the respondent Scrutiny committee has granted "Thakur" Schedule Tribe Validity Certificate in favour of Kishor s/o Shivaji Jadhav. On 16.01.2024, this Court delivered an order in Writ Petition No.2795 of 2022 (Anand Ashok Jadhav Vs. State of Maharashtra and another) and granted conditional validity certificate of belonging to "Thakur" Scheduled Tribe in favour of Anand Ashok Jadhav, real brother 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 "Thakur" 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 03.07.2025 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 03.07.2025 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 "Thakur" Scheduled Tribe, which shall be subject to the final outcome of the matters which the Committee has decided to re-open.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

JPChavan