



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

WRIT PETITION NO. 10065 OF 2025

**PRAKASH SHRIRAM AINLAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**AND
WRIT PETITION NO. 10067 OF 2025**

**SHUBHANGI PRAKASH AINLAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. Anil S. Golegaonkar a/w Mr. M. L. Paithane, h/f Mr. Madhur A. Golegaonkar, Advocate for the Petitioners
Mr. S. D. Ghayal and Mr. S. K. Tambe, Addl. Government Pleaders for the Respondents – State

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**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 12.08.2025

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

1. The challenge in the present Petitions is to the order dated 17.06.2025, passed by Respondent No.2 Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe certificates of the Petitioners.

2. Issue notice to the Respondents. The learned AGPs waive service of notice on behalf of the Respondents – State.

3. In both these Petitions, the Petitioners have challenged the common order dated 17.06.2025, passed by Respondent No.2 Scrutiny Committee, thereby invalidated “Mannervarlu” Scheduled Tribe caste claim of the Petitioners.

4. In Writ Petition No.10065 of 2025, the Petitioner is working with Respondent No.6 as an Assistant Teacher, whereas the Petitioner in Writ Petition No.10067 of 2025, intends to secure admission to the professional course from the seat reserved for Scheduled Tribe category. The schedule of admission has started, as the result of the entrance test for professional courses is declared. Therefore, considering the extreme urgency shown, both the Petitions are taken up for disposal at the stage of admission.

5. We have considered the strenuous submissions of both the sides.

6. As per the genealogical tree, Shri Ramchandra Ramanna Ainalwar had one son, namely, Shriram Ramchandra Ainalwar.

Prakash (Petitioner in Writ Petition No.10065 of 2025), Anil, Ramnath and Kashinath are the sons of Shriram. Sneha, Shumham and Shubhangi (Petitioner in Writ Petition No.10067 of 2025) are the children of Prakash.

7. On face of record, it appears that this Court has passed an order on 24.07.2018 in ***Writ Petition No.7629 of 2018 (Shubham Prakash Ainalwar Vs. Scheduled Tribe Certificate Scrutiny Committee, Aurangabad and others)*** and directed the Scrutiny Committee to issue conditional validity certificate in favour of the Petitioner therein. On 14.07.2023, this Court has passed an order in **Writ Petition No.9353 of 2021 (Kum. Sneha d/o Prakash Ainalwar Vs. The State of Maharashtra and others)** and directed the Scrutiny Committee to issue conditional validity certificate in favour of the Petitioner therein.

8. Needless to say that the Petitioners in Writ Petition No.7629 of 2018 and Writ Petition No.9353 of 2021 are the children of the Petitioner in Writ Petition No.10065 of 2025. The Scrutiny Committee has not disputed about relations between the conditional validity holders and the present Petitions in both the Petitions.

9. Since the paternal blood relatives of the Petitioners are having “Mannervarlu” Scheduled Tribe Validity Certificates, considering the parity, the Petitioners are also entitled to have “Mannervarlu” Scheduled Tribe validity certificates. However, such validity shall be subject to the outcome of the decision in the proceeding in respect of blood relatives of the Petitioners, which the Scrutiny Committee decided to re-open.

10. Considering 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 the certificates of validity.

11. The Petitioner in Writ Petition No.10067 of 2025 appears to be aspiring student for professional course. Therefore, she is called

upon to furnish undertaking that, in case, her caste validity certificate is invalidated by the Scrutiny Committee, in that event, she shall pay the tuition fees and admission fees applicable to the candidate from open category and no equity shall lie in her favour. Similarly, the Petitioner in Writ Petition No.10065 of 2025, who is in employment against the reserved category, therefore, he is called upon to furnish an undertaking that, in case his caste certificate is invalidated by the Scrutiny Committee, in that event, no equity shall lie in his favour. In view of above discussion, the present Writ Petitions deserve to be allowed partly and the impugned order dated 17.06.2025, passed by Respondent No.2 Scrutiny Committee, needs to be quashed and set aside. Accordingly, we proceed to pass the following order:-

ORDER

- (i) The Writ Petition is partly allowed.
- (ii) The impugned order dated 17.06.2025, passed by Respondent No.2 Scrutiny Committee is hereby quashed and set aside.
- (iii) Respondent No.2 Scrutiny Committee shall **immediately** issue “Mannervarlu” Scheduled Tribe validity certificates in favour of the Petitioners, which shall be subject to following conditions:-
 - (a) The caste validity certificates shall be subject to the outcome of the re-verification of the validity certificates of their blood relatives proposed by the Scrutiny Committee.

- (b) The Petitioner in Writ Petition No.10067 of 2025 shall furnish an undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institution with whom she will take admission for professional course, indicating that in case her caste validity is revoked, she would deposit the tuition fees and other charges applicable to the candidates from open category.
- (c) The Petitioners shall not claim any equity.
- (d) The Petitioners shall cooperate with the Scrutiny Committee.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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