



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

WRIT PETITION NO. 10437 OF 2025

Kiran s/o Venkatrao Padalwar ... **Petitioner**
Age 26 years, Occu: Education,
R/o Eklara Tq. Mukhed Dist. Nanded

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe Certificate Scrutiny ... **Respondents**
Committee, Kinwat Division
Headquarter at Chhatrapati Sambhajinagar,
Through its Deputy director (R)

Mr. Ghanshyam K. Chinchole, Advocate for the petitioner,
Mr. S. B. Pulkundwar, AGP for the Respondents State

CORAM : **MANISH PITALE &
Y. G. KHOBRAGADE, JJ.**
DATE : **22nd August, 2025**

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

1. The challenge in the present Petition is to the order dated 23.06.2025, passed by Respondent No.2 Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe claim of the Petitioner.
2. The petitioner is intending to secure admission to the professional course from the seat reserved for the Scheduled Tribe

Category. Schedule of admissions has started as CET result is declared. Therefore, considering the extreme urgency shown, the petition is taken up for disposal at the stage of admission.

3. Heard both sides at length.

4. As per genealogical tree, the petitioner's forefather, 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. Venkat, father of the petitioner, 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 sister 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, cousin and Gangasagar, sister of the petitioner. On 23.07.2025, this court passed an order in Writ Petition No. 8391 of 2025 and granted conditional validity certificate of belonging to Mannervarlu Scheduled Tribe in favour of Venkat Sheshrao Padalwar, father of the petitioner. Respondent No.2 has not denied the blood relations between the validity holders and the petitioner.

6. Since the paternal blood relatives of the Petitioner, including his father and real sister are having "Mannervarlu" Scheduled Tribe validity certificates, considering the parity, the Petitioner is also entitled to have "Mannervarlu" Scheduled Tribe validity certificate.

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. The Petitioner appears to be the aspiring student for the professional course. Therefore, he is called upon to furnish undertaking that, in case, his tribe validity certificate is invalidated by the Scrutiny Committee, in that event he shall pay the tuition fees and admission fees applicable to the candidates from open category and no equity shall lie in his favour.

9. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 23.06.2025 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 23.06.2025, 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 certificate in favour of the Petitioner, 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 certificates of the his blood relatives, if any, proposed by the Scrutiny Committee.
- (b) The Petitioner shall furnish undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institution with whom he will take admission for professional course, indicating that in case his caste validity is revoked, he would deposit the tuition fees and other charges applicable to the candidates from open category.
- (c) The Petitioner shall not claim any equity.
- (d) The Petitioner shall cooperate with the Scrutiny Committee.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

JPChavan