



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

78 WRIT PETITION NO. 10022 OF 2025

TEJASWINI PRASHANT GURJAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

.....
Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents/State : Mr. R.K. Ingole
.....

CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.
DATE : 11th August, 2025

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

1. Heard the learned counsel for the Petitioner and the learned AGP for the Respondents. With consent of both the sides, the matter is heard finally at the stage of admission.
2. The challenge in the present Petition is to the order dated 15.07.2025, passed by Respondent No.2/ Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe claim of the Petitioner.
3. As per the genealogical tree, Madhav Gangadhar Gurjar the forefather of the Petitioner was having three sons Laxman, Gangadhar, Poshetti. Shweta is grand daughter of Poshetti Gurjar and daughter of Vasant Gurjar. Vasant Gurjar the father of Shweta had relied on validity

certificates of Gangadhar Laxmanrao Ramod (brother in law), Vajnath Digambar Kamtewad (relative), Sachin Rameshrao Totawar (nephew) and Mohan Gangadhar Arsewd (brother in law). So also, Ms. Shweta Gurjar, the paternal blood relative of the Petitioner obtained Mannervarlu Scheduled Tribe certificate on the basis of validity certificate obtained by her father Vasant Gurjar.

4. On perusal of record, it further appears that the present Petitioner relief on the validity certificates issued in favour of her paternal blood relatives i.e. Vasant, Shweta, Priyanka, Shankar and Dinesh. However, the Petitioner has failed to tender independent affidavits and certified copies of said validity certificates. After going through the impugned order, it appears that notices are issued to the paternal blood relatives for revocation of their validity certificates, however, as on today said validity certificates have not been revoked as till date no final orders have been passed. The blood relations between the Petitioner and the validity holders has not been denied by the Respondent No.2.

5. Therefore, 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.

6. The Petitioner appears to be aspiring student pursuing Computer Science Engineering. 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. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 15.07.2025 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 15.07.2025, 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 her blood relatives 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 Institutions 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 Petitioner shall not claim any equity.
 - (d) The Petitioner shall cooperate with the Scrutiny Committee.

[Y.G. KHOBRADE, J.]

[MANISH PITALE, J.]