



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

WRIT PETITION NO. 9666 OF 2025

1. SHRAVANI SURESH PERKE
2. GAYATRI SURESH PERKE
3. TANVI SATISH PERKE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. C. R. Thorat, Advocate for the petitioners

Mr. R. K. Ingole, AGP for the Respondents – State

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

DATE : 12.08.2025

PER COURT :-

1. The challenge in the present Petition is to the order dated 30.06.2025, passed by Respondent No.2 Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe certificate of the Petitioners.

2. Issue notice to the Respondents. The learned AGP waives notice on behalf of both the Respondents.

3. The Petitioners are intending to secure admission to the medical 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, the Petition is taken up for disposal at the stage of admission.

4. Heard both the sides at length.

5. As per the genealogical tree, Yashwantrao Perke, the forefather of the Petitioners had one son, namely, Gauraji. Girjabai, Jaiwantrao, Ahilyabai, Dattatray, Gangabai and Shesherao, are the children of Gauraji. Shailaja, Ratnaprabha, Avinash, Suvarnamala, Jaiprakash, Devidas and Subhash are the children of Jaiwantrao. Manjusha, Ratnakar, Dhananjay and Sanjay are the children of Dattatray. Vinayak, Varsha, Vaishali and Vikas are the children of Shesherao. Ashutosh, Swati and Aakash are the children of Avinash. Anmol and Ajay are the sons of Jaiprakash. Sunita, Suresh and Satish, are the children of Devidas. Arya, Shravani (Petitioner No.1) and Gayatri (Petitioner No.2), are the children of Suresh.

6. The Petitioners intend to secure admission from the seat reserved for Scheduled Tribe category. Petitioner No.3 is studying in 12th standard and she would require validity certificate for her future

professional course. Therefore, considering the extreme urgency, the Petition is taken up for final disposal at the stage of admission.

7. On face of record, it appears that in past, Anmol Jayprakash Perke had filed Writ Petition No.4343 of 2021 and Gaurav Ratnakar Perke, had filed Writ Petition No.4825 of 2021, so also Apurva Ratnakar Perke had filed Writ Petition No.4910 of 2021, challenging the order of invalidation of their caste claim belonging to “Mannervarlu” Scheduled Tribe. This Court in these Petitions passed the common order dated 10.10.2023, and considering the earlier order passed by this Court in the cases of Shivram Digambar Perke and Sumit Maroti Perke in Writ Petition Nos.9400 of 2023 and 9552 of 2023, respectively, thereby directed the Respondent No.2 Scrutiny Committee to issue conditional “Mannervarlu” Scheduled Tribe validity certificates in favour of the Petitioners therein.

8. Respondent No.2 Scrutiny Committee has not denied paternal blood relations between the present Petitioners and other paternal blood relatives of validity holders. Therefore, the Petitioners are also entitled to have “Mannervarlu” Scheduled Tribe validity certificates. However, such validity shall be subject to outcome of the

decision in the proceeding in respect of blood relatives of the Petitioners, which the Respondent No.2 decided to re-open.

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 certificate. However, such validity shall be subject to the outcome of the decision in the proceeding in respect of blood relative of the Petitioners, which the Respondent No.2 decided to re-open. The Scrutiny Committee has not denied the relationship between paternal blood relatives and the validity holders of the present Petitioners.

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 Nos.1 and 2 appears to be aspiring student for professional course, so also, Petitioner No.3 is studying in 12th standard and intends to secure admission for professional in next year, therefore, they are called upon to furnish undertaking that, in case, their caste validity certificates is invalidated by the Scrutiny Committee, in that event, they shall pay the tuition fees and admission fees applicable to the candidates from open category and no equity shall lie in their favour. In view of above discussion, the present Writ Petition deserves to be allowed partly and the impugned order dated 30.06.2025, 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 30.06.2025, 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 Petitioners shall furnish an undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institution with whom they will take admission for professional course, indicating that in case their caste validity is revoked, they 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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