



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 WRIT PETITION NO. 9464 OF 2025

SAMRUDHI SAHEBRAO DHADE THR GUARDIAN FATHER SAHEBRAO
TANAJI DHADE AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Chandrakant R. Thorat – Advocate for Petitioners

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

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

DATE : 20.08.2025

ORDER (PER : Y.G. KHOBRAGADE, J.) :-

1. By the present petition, the petitioners take exception to the order dated 16.07.2025 passed by respondent No.2 – Scrutiny Committee, thereby invalidating their ‘Mannervarlu’ Scheduled Tribe claim.
2. Issue notice to the respondents. The learned A.G.P. waives service of notice on behalf of both the respondents.
3. Considering the urgency, the matter is taken up for final disposal at the motion stage. Heard both sides at length.
4. Having regard to the rival submissions canvassed on behalf of both sides, we have perused the petition paper book. Needless to say that, the petitioners are aspiring students of a professional engineering course and

they require a tribe validity certificate for the purpose of admission.

5. As per the genealogical tree, Gangaram Dhade, the great-grandfather of the petitioners, had two sons, namely Nagoba and Yalappa. Subhash, Girijabai, Mahajan, Narayan and Manika are the children of Nagoba. Vyankoba and Sambha are the sons of Yalappa. Nagorao and Gangubai are the children of Subhash, while Shashikala and Balaji are the children of Narayan. Ramrao and Govind are the sons of Vyankoba, and Tanaji and Anjanabai are the children of Sambha. Devidas, Vyankatesh, Mangala, Premala, Ujwala and Sangeeta are the children of Nagorao. Narayan is the son of Balaji. Gajanan, Mira and Sahebrao are the children of Ramrao. Gangadhar, Madhav and Gangabai are the children of Govind. Anusayabai, Sambhaji, Govind, Sahebrao and Uttam are the children of Tanaji. Nageshwar (Petitioner No.2) and Manik are the sons of Devidas. Swara and Soumya are the daughters of Vyankatesh. Abhijit and Aparna are the children of Sambhaji. Akshayee is the daughter of Govind. Samrudhi (Petitioner No.1) is the daughter of Sahebrao, and Disha is the daughter of Uttam.

6. On the face of record, it appears that on 14.11.2005, 23.02.2011 and 10.03.2010, respondent No.2 – Scrutiny Committee granted ‘Mannervarlu’ Scheduled Tribe validity certificates in favour of Aparna Sambhaji Dhade, Abhijit Sambhaji Dhade and Sahebrao Tanaji Dhade. The respondent No. 2 – Scrutiny Committee has not denied the paternal

blood relations between the present petitioners and the other validity holders. However, by the impugned order dated 16.07.2025, respondent No.2 – Scrutiny Committee held that the paternal blood relatives had obtained the Scheduled Tribe Certificates by suppressing material facts and on the basis of false information, and therefore the validity holders were served with notices for revocation of their validities. However, it is not in dispute that the respondent No.2 – Scrutiny Committee has not invalidated or revoked the said validities issued in favour of paternal blood relatives of the petitioners.

7. Considering the law laid down in the cases of **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and Ors.**, reported in AIR 2023 SC 1657, **Shweta Balaji Isankar Vs. State of Maharashtra and Ors.**, reported in 2018 SCC Online Bom. 10341, **Apoorva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and Ors.**, reported in 2010(6) Mh.L.J. 401, wherein it has been held 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 be issued a validity certificate. However, the said validity shall be co-terminus with the decision in the matter which the Committee may decide to reopen.

8. Learned Counsel appearing for the petitioners submitted that the

blood relatives, namely, Abhijit, Aparna and Sahebrao, have been served with notices for revocation of their validities. It is submitted that the said blood relatives of the petitioners are voluntarily ready and willing to execute undertakings before the respondent No.2 – Scrutiny Committee, undertakings to cooperate in the decision regarding revocation of their validities. In these circumstances, it would be just and proper to direct Abhijit, Aparna and Sahebrao to file separate undertakings before respondent No.2 – Scrutiny Committee, within a period of one week from today, stating that they will cooperate with the said Committee in respect of the invalidation of the tribe proceedings.

9. Since the petitioners appear to be aspiring candidates for admission to professional engineering courses and they intend to secure admission under the Scheduled Tribe (ST) reserved category, they are directed to furnish undertakings that, in the event their claims are invalidated by respondent No. 2 – Scrutiny Committee, they shall pay the tuition and admission fees applicable to a candidate from the open category, and no equity shall lie in their favour.

10. In view of the above discussion, the present petition deserves to be partly allowed and the impugned order dated 16.07.2025 passed by the 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 16.07.2025 passed by the 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 petitioners, which shall be subject to the 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, as proposed by the Scrutiny Committee.
 - (b) The petitioners shall furnish undertakings before the Registrar (Judicial) of this Court, as well as before respondent No.2 – Scrutiny Committee and the Educational Institution with which they seek admission for a professional engineering course, stating that in the event their caste validity is revoked, they shall deposit the tuition fees and other charges applicable to candidates from the open category.
 - (c) The petitioners shall not claim any equity.
 - (d) The petitioners shall cooperate with the Scrutiny Committee.
- iv. Abhijit, Aparna and Sahebrao, who are blood relatives of

the petitioners, shall furnish undertakings before respondent No.2 – Scrutiny Committee within a period of one week from today, stating that they will cooperate and appear before the Scrutiny Committee as and when called upon.

v. The writ petition is disposed of. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

Pooja Kale/