



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

WRIT PETITION NO. 9430 OF 2025

Om s/o Kailas Joksane ... **Petitioner**
Age 20 years, Occu: Education
R/o Nandkheda Tq. & Dist. Parbhani

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai
2. The Scheduled Tribes Certificate Verification ... **Respondents**
Committee, Chh. Sambhajinagar
Through its Dy. Director (R)

Mr. Sunil M. Vibhute, Advocate for the petitioner
Mr. R.K. Ingole, AGP for the Respondents/State

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

DATE : 01.08.2025

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

1. By the present petition under Article 226 of the Constitution of India, the Petitioner takes exception to the order dated 10.07.2025 passed by Respondent No.2 Scrutiny Committee, thereby invalidating his "Mannervarlu" Schedule Tribe Certificate.
2. The petitioner is a student and requires validity for education purpose. It is submitted that the petitioner has succeeded in NEET-UG-

2025. The CET Cell of the State has declared Schedule of NEET-UG-25, wherein CAP Round-1 selection date for MBBS and BDS is 07.08.2025 and last date for reporting to allotted college is 12.08.2025. Therefore, considering the extreme urgency shown, the petition is taken up for disposal at the stage of admission.

3. The petitioner claims that he belongs to "Mannervarlu" Scheduled Tribe. His proposal was forwarded to Respondent No.2 Scrutiny Committee for validation on 13.08.2024 through the college. The petitioner has submitted various documents, including validity certificate of blood relative, school entries etc. in support of his claim. However, on 30.04.2025, the claim of the petitioner of belonging to "Mannervarlu" Scheduled Tribe was rejected by the Committee alleging that validity certificate of his grandfather namely Gangadhar Bapurao Joksane, relied by the petitioner, was issued on misrepresentation and on false and fabricated documents.

4. Having regard to the submissions canvassed on behalf of both the sides, we have gone through the record.

5. The learned counsel appearing for the petitioner took us through the genealogical tree. Gangadhar Bapurao Joksane (Validity holder) is the grandfather of the petitioner. It is not in dispute that on 13.06.2008, respondent No. 2 Committee issued validity certificate in

favour of grandfather of the petitioner of belonging to "Mannervarlu" Scheduled Tribe. Respondent No.2 Committee claims that as per Vigilance Cell Report the validity certificate was issued in favour of Gangadhar Bapurao Joksane on the basis false school record. Although, the Scrutiny Committee has served a notice of reverification upon him, the said proceeding is pending for final decision with the respondent Scrutiny Committee, as on today, the validity certificate of Mannervarlu Scheduled Tribe issued in favour of Gangadhar Bapurao Joksane is still in operation. Admittedly, the validity holder is blood relative of the petitioner and the committee has not denied the same.

7. 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,*** 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. Therefore, considering party with the blood relative of the petitioner, the petitioner is entitled to have conditional validity subject to outcome of the decision in the proceedings in respect of the blood relative of the

petitioner, which the committee has decided to reopen. However, the respondent Committee passed the impugned order and invalidated the "Mannervarlu" Scheduled Tribe claim of the petitioner without any substantial reason.

8. In view of above discussion, present petition deserves to be allowed and impugned order dated 10.07.2025 passed by the Respondent No. 2 Committee needs to be quashed and set aside. Accordingly, we proceed to pass the following order:

ORDER

- (i) Writ petition is allowed.
- (ii) Impugned order dated 10.07.2025 passed by the Respondent No. 2 is hereby quashed and set aside.
- (iii) Respondent No. 2/Committee shall immediately issue tribe validity certificate in favour of the petitioner as belonging to 'Mannervarlu' Scheduled Tribe, which shall be subject to the final outcome of the matters which the Committee has decided to reopen.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)