



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

WRIT PETITION NO. 9761 OF 2025

1. ABHISHEK ANJAN GATTUWAR
2. ANJAN SAYANNA GATTUWAR
3. SAIRAJ VENKATI GATTUWAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

AND

WRIT PETITION NO. 9763 OF 2025

1. SANDESH HANMANLU GATTUWAR
2. SANKET HANMANLU GATTUWAR
3. RAJESHWAR SANJAY GATTUWAR
4. ANUSHKA DAMANNA GATTUWAR
5. NAGESH HANMANLU GATTUWAR
6. HANMANLU VENKATI GATTUWAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. P. R. Katneshwarkar, Senior Advocate a/w Ms Sakshi
Katneshwarkar, Advocate for the Petitioners
Ms Neha B. Kamble, AGP for the Respondents – State

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

DATE : 12.08.2025

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

1. The challenge in the present Petitions is to the orders dated 23.06.2025 and 14.07.2025, passed by Respondent No.2

Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe Certificates of the Petitioners.

2. Issue notice to the Respondents. The learned AGP waives notice on behalf of the Respondents – State Authorities.

3. In Writ Petition No.9761 of 2025, Petitioner Nos. 1 and 3 are the students who are intending to secure admission to the professional courses from the seat reserved for Scheduled Tribe category, whereas Petitioner No.2 is in service.

In Writ Petition No.9763 of 2025, Petitioner Nos.1, 3, 4 and 5 are the students who are intending to secure admission to the professional courses from the seat reserved for Scheduled Tribe category, whereas Petitioner Nos. 2 and 6 are in service. Therefore, considering the extreme urgency shown, the Petitions are taken up for disposal at the stage of admission.

4. Heard both the sides at length.

5. As per the genealogical tree, Narsimlu Gattuwar, the forefather of the Petitioners in both the Petitions had four sons, namely, Shivayya/Sidhanna, Lachhamanna, Gangaram and Venkanna. Damanna (younger) and Damanna (elder) are the sons of

Shivayya/Sidhanna. Narayan and Shankar are the sons of Damanna (younger). Damanna and Shriniwas are the sons of Narayan. Damanna is the son of Shankar. Sidhanna, Venkanna/Venkat and Lingabai, are the children of Damanna. Damanna, Dharmabai, Anusayabai, Krushna and Lingabai are the children of Venkayya/Venkat. Narendra, Naglaxmi, Jayshree and Mahesh are the children of Damanna. Prathamesh and Bhakti are the children of Krushna.

6. In second branch of tree of Lachhamanna, Rajanna is the son of Lachhamanna. Chandrakala, Rajmani, Venkati, Rajanna, Tirupati, Narsimlu(younger), Narsimly(elder), Lachhamanna/Laxman, are the children of Rajanna. Sanjay, Shailesh and Suresh are the sons of Venkati. Rahul is the son of Rajanna. Jayshree, Sonali and Shriniwas are the children of Narsimlu (younger). Rajesh and Supriya are the children of Narsimlu (elder). Yashda, Anushka and Yash are the children of Sonali.

7. In third branch of tree, Damanna is the son of Gangaram. Balaji, Laxman, Gangadhar, Nagesh and Ashok are the sons of Damanna.

8. In fourth branch of tree, Sayanna, Venkanna, Venkati, Satwaji and Damanna, are the children of Venkanna. Sayanna is the son of Venkanna. Hanmallu, Anjan, Pawan and Anita are the children of Sayanna. Abhishek, Aniket and Shraddha are the children of Anjan. Pranjal and Shrinidhi are the children of Pawan.

9. On face of record, it appears that, on different dates, the Respondent No.2 Scrutiny Committee has passed various orders and issued “Mannervarlu” Scheduled Tribe validity certificates in favour of paternal blood relatives of the Petitioners in both these Petitions. So also, this Court has passed the orders in different Petitions on different dates and granted validity certificates in favour of the Petitioners, as under:-

Sr. No.	Name	Validity granted date
1.	Krushna Venkanna Gattuwar	20.01.2005 by Scrutiny Committee
2.	Suresh Venkati Gattuwar	03.07.2006 by Scrutiny Committee
3.	Pranjal Pavankumar Gattuwar	Writ Petition No. 7858 of 2024 dated 07.08.2024
4.	Mahesh Damanna Gattuwar	Writ Petition No. 14100 of 2023 dated 18.12.2023
5.	Yashda Rajesh Gattuwar	Writ Petition No.14772 of 2017 dated 15.07.2025

6.	Sonali Narsimlu Gattuwar	Writ Petition No.5584 of 2019 dated 19.01.2025
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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 a certificate of validity on the ground of parity, however, the such validity shall be subject to the outcome of the decision in the proceeding in respect of blood relatives of the Petitioners, which the Respondent No.2 Scrutiny Committed decided to re-open.

11. In Writ Petition No.9761 of 2025, Petitioner Nos. 1 and 3 are the students who are intending to secure admission to the professional courses from the seat reserved for Scheduled Tribe category, therefore, they called upon to furnish undertaking that, in

case, their caste validity certificates are invalidated by the Scrutiny Committee, in that event, they shall pay the tuition fees and admission fees applicable to the candidate from open category and no equity shall lie in their favour. Similarly, Petitioner No.2 who is in employment against the reserved category. Therefore, Petitioner No.2 is called upon to furnish an undertaking that, in case his caste certificate is invalidated by the Scrutiny Committee, in that event, no equity shall lie in his favour.

12. In Writ Petition No.9763 of 2025, Petitioner Nos.1, 3, 4 and 5 are the students who are intending to secure admission to the professional courses from the seat reserved for Scheduled Tribe category, therefore, they called upon to furnish undertaking that, in case, their caste validity certificates are invalidated by the Scrutiny Committee, in that event, they shall pay the tuition fees and admission fees applicable to the candidate from open category and no equity shall lie in their favour. Similarly, Petitioner Nos. 2 and 6 are in employment against the reserved category. Therefore, they are called upon to furnish an undertaking that, in case their caste certificates are invalidated by the Scrutiny Committee, in that event, no equity shall lie in their favour. In view of above discussion, the

present Writ Petitions deserve to be allowed partly and the impugned orders dated 23.06.2025 and 14.07.2025, passed by Respondent No.2 Scrutiny Committee, need to be quashed and set aside. Accordingly, we proceed to pass the following order:-

ORDER

- (i) The Writ Petitions are partly allowed.
- (ii) The impugned orders dated 23.06.2025 and 14.07.2025, passed by Respondent No.2 Scrutiny Committee are 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 Petitioner Nos. 1 and 3 in Writ Petition No.9761 of 2025, and the Petitioner Nos. 1, 3, 4 and 5 in Writ Petition No.9763 of 2025, shall furnish 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 courses, 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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