



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1016 WRIT PETITION NO. 10336 OF 2025

PRADIP VIJAYSING BATLE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

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Mr. Pratap V. Jadhavar – Advocate for Petitioner

Mr. S.V. Hange – 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 petitioner takes exception to the order dated 24.04.2025 passed by respondent No.2 – Scrutiny Committee, thereby invalidating his 'Naikda' 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 petitioner is the aspiring student of professional course and he requires

tribe validity certificate for the purpose of admission.

5. As per the genealogical tree, Shri. Dhupa Amruta Batle, great-grandfather of the petitioner, had two sons, namely Kesharsing and Harichandra. Jawansingh, Julalsing and Mangalsing are the sons of Kesharsing. Raibhan, Chatarsing, Jagdish, Vijaysing, Narmada and Saraswati are the children of Harichandra. Bhushan, Pratiksha and Rupali are the children of Jawansingh. Nikita and Nitin are the children of Julalsing. Ashwini is the daughter of Mangalsing. Savita, Sangita, Navalsing, Anil and Sunanda are the children of Chatarsing. Sunil and Kailas are the sons of Jagdish, and Sandip and Pradip are the sons of Vijaysing.

6. On the face of record, it appears that on 20.09.2024, a Division Bench of this Court passed an order in Writ Petition No. 10336 of 2024 (**Sandip Vijay Batle Vs. The State of Maharashtra and Another**) and directed respondent No.2 – Scrutiny Committee to issue a conditional ‘Naikda’ Scheduled Tribe Validity Certificate in favour of the real brother of the petitioner. Likewise, on 20.06.2024, a Division Bench of this Court passed an order in Writ Petition No. 11372 of 2023 (**Pratiksha d/o. Jawansing Batale and Ors. Vs. The State of Maharashtra and Another**) directing respondent No. 2 – Scrutiny Committee to issue conditional ‘Naikda’ Scheduled Tribe Certificates in favour of the paternal blood relatives of the petitioners therein. The respondent No. 2 – Scrutiny

Committee has not denied the paternal blood relations between the present petitioner and the other validity holders. However, by the impugned order dated 24.04.2025, 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. Therefore, the validity holders are served with notices for revocation of 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 Adiwas 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 petitioner is 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 petitioner submitted that the blood relatives, namely, Anil Chatarsing Batle, Navalsing Chatarsing Batle, Snil Jagdish Batle and Kailas Jagdish Batle, have been served with notices for revocation of their validities. It is submitted that the said blood relatives of the petitioner are voluntarily ready and willing to execute undertakings before the respondent No.2 – Scrutiny Committee, undertaking to cooperate in the decision regarding revocation of their validities. In these circumstances, it would be just and proper to call upon Anil Chatarsing Batle, Navalsing Chatarsing Batle, Snil Jagdish Batle and Kailas Jagdish Batle 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 petitioner appears to be an aspiring candidate for admission to a professional course and intends to secure admission under the Scheduled Tribe (ST) reserved category, he is directed to furnish an undertaking that, in the event his claim is invalidated by respondent No. 2 – Scrutiny Committee, he shall pay the tuition and admission fees applicable to a candidate from the open category and no equity shall lie in his favour.

10. In view of the above discussion, the present petition deserves to be partly allowed and the impugned order dated 24.04.2025 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 24.04.2025 passed by the respondent No.2 – Scrutiny Committee is hereby quashed and set aside.
- iii. Respondent No.2 – Scrutiny Committee shall immediately issue ‘Naikda’ Scheduled Tribe validity certificate in favour of the petitioner, which shall be subject to the following conditions :
 - (a) The caste validity certificate shall be subject to the outcome of the re-verification of the validity certificates of his blood relatives, as proposed by the Scrutiny Committee.
 - (b) The petitioner shall furnish an undertaking before the Registrar (Judicial) of this Court, as well as before respondent No.2 – Scrutiny Committee and the Educational Institution with which he seeks admission for a professional course, stating that in the event his caste validity is revoked, he shall deposit the the tuition fees and other charges applicable to candidates from the open category.
 - (c) The petitioner shall not claim any equity.
 - (d) The petitioner shall cooperate with the Scrutiny

Committee.

iv. Anil Chatarsing Batle, Navalsing Chatarsing Batle, Snil Jagdish Batle and Kailas Jagdish Batle, who are blood relatives of the petitioner, 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/