



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

WRIT PETITION NO. 10063 OF 2025

**PANDURANG RAJENDRAKUMAR ADBALWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. Sainath G. Jayewar, Advocate for the Petitioner
Mr. S. V. Hange, 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 Petition is to the order dated 25.07.2025, passed by Respondent No.2 Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe certificate of the Petitioner.

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

3. The Petitioner is intending to secure admission to the professional course from the seat reserved for the Scheduled Tribe category. Schedule of admission to the professional courses has

started as the result of entrance test 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, Venkoba, forefather of the Petitioner had four sons, namely, Rajanna, Narayan, Bhimrao and Govind. Rajba is the son of Rajanna. Rajba is also shown the son of Bhimrao. Baburao, Rajendra, Gangadhar, Vitthal and Ramchandra are the children of Rajba. Rajendrakumar, Ramrao, Laxman and Nagnath, are the sons of Rajba s/o Bhimrao Adbalwar. Rajeshwar and Pandurang (Petitioner), are the sons of Rajendrakumar. Rajeshree is the daughter of Gangadhar.

6. On face of record, it appears that on 08.07.2010, the Respondent No.2 Scrutiny Committee has issued "Mannervarlu" Scheduled Tribe validity certificate in favour of Nagnath Rajaba Adbalwar. This Court has passed an order on 18.08.2023 in Writ Petition No.5753 of 2022 (Rajeshree Gangadhar Adbalwar Vs. The State of Maharashtra and another) and granted conditional validity certificate in favour of the Petitioner therein.

7. Since the paternal blood relatives of the Petitioner is having “Mannervarlu” Scheduled Tribe Validity Certificates, considering the parity, the Petitioner is 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 Petitioner, which the Respondent No.2 decided to re-open.

8. 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 Petitioner is entitled to have the certificates of validity.

9. The Petitioner appears to be the aspiring student for the professional course. Therefore, he is called upon to furnish

undertaking that, in case, his caste validity certificate is invalidated by the Scrutiny Committee, in that event, he shall pay the tuition fees and admission fees applicable to the candidate from open category and no equity shall lie in his favour. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 25.07.2025 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 25.07.2025, 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 Petitioner, 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 shall furnish an undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institution with whom he will take admission for professional course, indicating that in case his

caste validity is revoked, he 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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