



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10623 OF 2025

1 ADITYA RAMESH GALANDE
2 ASHWINI NAGESH GALANDE
3 BHAVESH NAGESH GALANDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. O. B. Boinwad, Advocate for the Petitioners

Mr. S. K. Shirse, AGP for the Respondents – State

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

DATE : 03.09.2025

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

1. The Petitioners have challenged the common order dated 22.07.2025, passed by Respondent No.2 Scrutiny Committee, invalidating their “Koli Mahadev” Scheduled Tribe certificates.

2. The Petitioners are the aspiring students and intend to secure admission for professional courses. Therefore, considering the extreme urgency shown, the Petition is taken up for disposal at the stage of admission.

3. Issue notice to the Respondents. The learned AGP waives notice on behalf of the Respondents State.

4. Heard both the sides at length.

5. As per the genealogical tree, Shriram, Suresh, Ramesh and Nagesh are the sons of Bhojaji. Vijay Sangita Santosh and Smita are the children of Shriram. Jyoti, Sandip, Namrata and Parikshit are the children of Suresh, Vaishnavi and Aditya (Petitioner No.1) are the children of Ramesh. Ashwini (Petitioner No.2) and Bhavesh (Petitioner No.3) are the children of Nagesh.

6. On face of record, it appears that the Scrutiny Committee issued “Koli Mahadev” Scheduled Tribe certificates in favour of paternal blood relatives of the present Petitioners, as under:-

Sr. No.	Name	Date
1.	Ramesh Bhojaji Galande	06.01.2003
2.	Vijay Shriram Galande	25.02.2008
3.	Sangita Shriram Galande	25.02.2008
4.	Santosh Shriram Galande	09.10.2009
5.	Smita Shriram Galande	09.10.2009
6.	Jyoti Suresh Galande	05.04.2008
7.	Sandip Suresh Galande	05.04.2008
8.	Parikshit Suresh Galande	05.04.2008
9.	Vaishnavi Ramesh Galande	24.10.2017

7. In *Writ Petition No.10323 of 2017 (Vaishnavi Ramesh Galande Vs. The State of Maharashtra and others)*, this Court at Principal Seat passed the order dated 03.10.2017 and directed the Scrutiny Committee to issue validity certificate to the Petitioner therein as belonging to “Koli Mahadev” scheduled tribe.

8. The Respondent No.2 Scrutiny Committee passed the impugned order and invalidated the tribe claim of the Petitioners on the ground that the blood relative of the Petitioners have obtained validity certificates on the basis of false documents and concealment of original record.

9. Since the paternal blood relatives of the Petitioners are having “Koli Mahadev” Scheduled Tribe validity certificates, considering the parity, the Petitioners are also entitled to have “Koli Mahadev” Scheduled Tribe validity certificates. However, such validity shall be subject to outcome of the decision in the proceeding in respect of blood relatives of the Petitioners, which the Respondent No.2 Scrutiny Committee decided to re-open.

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 certificates 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 Committee decided to re-open.

11. Since the Petitioners appear to be the aspiring candidates for admission to professional courses and they intend to secure admission under the Scheduled Tribe reserved category, they are directed to furnish undertaking that, in the event their claim is invalidated by Respondent No.2 Scrutiny Committee, they shall pay the tuition and admission fees applicable to the candidates from open category and no equity shall lie in their favour.

12. In view of the above discussion, the present Petition deserves to be partly allowed and the impugned order dated 22.07.2025, 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 22.07.2025, passed by Respondent No.2 Scrutiny Committee, is hereby quashed and set aside.
- (iii) Respondent No.2 Scrutiny Committee shall **immediately** issue “Koli Mahadev” 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 Petitioners shall furnish undertaking 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 professional courses, stating that in the event of their caste validity is revoked, they shall 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.

(iv) The Writ Petition is disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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