



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

WRIT PETITION NO. 9756 OF 2025

Shravani d/o Kondiba Gadewad ... **Petitioner**
Age 17 years, Occu: Student
Through the Natural Guardian i.e. Father
Kondiba s/o Madhav Gadewad
R/o Tuppa Tq. and Dist. Nanded

VERSUS

1. The State of Maharashtra,
Through its Principal Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe certificate Verification ... **Respondents**
Committee, Kinwat
Headquarter at Chhatrapati Sambhajinagar,
Through its Deputy Director of Research
and Member Secretary

Mr. C. R. Thorat, Advocate for the petitioner,
Mr. R. K. Ingole, AGP for the Respondents State

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

DATE : 08.08.2025

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

1. The challenge in the present Petition is to the order dated 22.07.2025, passed by Respondent No.2 Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe Certificate of the Petitioner.

2. Issue notice to the respondents. Learned AGP waives notice on behalf of both the respondents.

3. The petitioner is a student and requires validity for education purpose. The petitioner is intending to secure admission to the Health Science Course from the seat reserved for the Scheduled Tribe Category. Schedule of admissions has started as NEET result is declared. Therefore, considering the extreme urgency shown, the petition is taken up for disposal at the stage of admission.

4. Heard both sides at length.

5. As per the genealogical tree, Sambhaji Gadewad, forefather of the petitioner, had two sons namely, Ramji and Irbaji. Madhav (Mahadu) and Maroti are the sons of Ramji. Gangaram and Jalbaji are the sons of Irbaji. Gayabai, Shantabai, Sahebrao and Kondiba (father of the Petitioner) are the children of Madhav (Mahadu). Sumanbai, Kondubai and Nandabi are the daughters of Maruti. Sadashiv, Shivaji, Manika, Ravsaheb (Validity holder) are the sons of Gangaram. Sangita, Rekha, Ganpat (Validity holder) and Savita are the children of Sadashiv. Sunita, Anita, Prakash and Sanjay are the children of Manika. Bandu, Rupesh (validity holder) are the children of Shivaji.

6. On face of record, it appears that on 17.05.2008 the Respondent No.2 Scrutiny Committee granted validity certificate of

belonging to Mannervarlu Schedule tribe in favour of Kondiba Madhav Gadewad, father of the petitioner. On 04.06.2010, Respondent No.2 Scrutiny Committee has issued “Mannervarlu” Scheduled Tribe validity certificate in favour of Ganpat Sadashiv Gadewad. On 17.03.2007, the Scrutiny Committee has granted “Mannervarlu” validity certificate in favour of Rupesh Shivaji Gadewad. On 01.08.2023, this Court has passed the order in Writ Petition No. 2215 of 2022 (Sambhaji s/o Manika Gadewad Vs. State of Maharashtra and another) and considering that the paternal blood relatives of the Petitioner are holding “Mannervarlu” Scheduled Tribe validity certificates, directed the Scrutiny Committee to issue “Mannervarlu” Scheduled Tribe conditional validity certificates in favour of Sambhaji.

7. Since the paternal blood relatives of the Petitioner, including her natural father and cousins are 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 relatives 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 certificate of validity.

9. The Petitioner appears to be the aspiring student for the professional course. Therefore, she is called upon to furnish undertaking that, in case, her caste validity certificate is invalidated by the Scrutiny Committee, in that event she shall pay the tuition fees and admission fees applicable to the candidates from open category and no equity shall lie in her favour. In view of above discussion, the present Petition deserves to be allowed partly 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 “Mannervarlu” Scheduled Tribe validity certificate 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 her blood relatives proposed by the Scrutiny Committee.
- (b) The Petitioner shall furnish undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institution with whom she will take admission for professional course, indicating that in case her caste validity is revoked, she would deposit the tuition fees and other charges applicable to the candidates from open category.
- (c) The Petitioner shall not claim any equity.
- (d) The Petitioner shall cooperate with the Scrutiny Committee.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

JPChavan