



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

WRIT PETITION NO. 10110 of 2025

Dipali Govind Dasre,
Age: 18 years, Occu: Student,
R/o. Krushna Kamal Housing,
Society, RH-26/7, Balaji Nagar,
Chhatrapati Sambhajnagar.

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai-32

2. The Scheduled Tribe Certificate Scrutiny Committee,
Kinwat Division, Aurangabad,
Through its Member Secretary.

3. The Sub-Divisional Officer,
Bhokar, Aurangabad, Maharashtra

....RESPONDENTS

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Mr. S. G. Jayewar, Advocate for the petitioner
Mr. S. V. Hange, AGP for Respondents-State

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

DATE : 13.08.2025

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

1. By the present petition, the petitioner impugns the order dated 30.07.2025 passed by the Respondent No.2/Scrutiny Committee, thereby invalidating her “Mannervarlu” Scheduled Tribe Certificate.

2. Issue notice to the Respondents. The learned AGP waives notice on behalf of Respondents-State.
3. Considering the urgency, the matter is taken up for final disposal at the motion. Heard both sides at length.
4. Having regard to the strenuous submissions canvassed on behalf of both sides, we have gone through the petition paper book.
5. Needless to say that, the petitioner is an aspiring student for professional course. As per the genealogical tree, Sambhaji Dasre had two sons: Davji and Ramji. Datta is the son of Ramji. Parmeshwar, Digambar and Subhas are the sons and Datta. On another branch of tree, Ganpati, Radhabai, Gangaram, Piraji and Kerba are the children of Davji. Govind, Madhav, Balaji and Shivaji are the sons of Ganpati. Dixita and Dipali (Present petitioner) are the daughters of Govind. Anil and Sunil are the sons of Madhav. Gangadhar is the son of Shivaji. Ananda, Digambar, Vishwanath and Vitthal are the sons of Piraji. Omprakash and Pravin are the sons of Ananda. Shivdas and Santosh are the sons of Digambar.
6. On the face of record, it appears that Respondent No.2 Scrutiny Committee granted "Mannervarlu" Scheduled Tribe certificate in favour of the paternal blood relatives of the petitioner, as follows:

Sr. No.	Name	Date of Order
1	Parmeshwar Datta Dasre	20.06.2006
2.	Digambar Dattaramji Dasre	08.05.2008
3.	Anil Madhav Dasre	09.06.2010
4.	Shivdas Digambarrao Dasre	23.09.2011

7. Respondent No.2 Scrutiny Committee has not disputed the paternal blood relations between the petitioner and the other validity holders in the family. Therefore, 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. Therefore, the present Petitioner is entitled to have a conditional certificate of validity.

8. The Petitioner appears to be an aspiring student for the professional course and intends to secure admission under the Scheduled Tribe reserved category. 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 candidate 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 30.07.2025 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 30.07.2025, 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.]

HRJadhav