



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

106 WRIT PETITION NO. 10052 OF 2025

1. JANHAVI PRALHAD LOLAMWAD
2. PRANAV PRALHAD LOLAMWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for the Petitioners : Mr. Thorat Chandrakant R.
AGP for Respondents/State : Mr. S.V. Hange
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**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.**
DATE : 11th August, 2025

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

1. Heard the learned counsel for the Petitioners and the learned AGP for the Respondents. With consent of both the sides, the matter is heard finally at the stage of admission.

2. The challenge in the present Petition is to the order dated 24.06.2025, passed by Respondent No.2/ Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe claim of the Petitioners.

3. As per the genealogical tree, Mahadu Lolamwad was having four children, namely, Jayvanta, Vithoba, Dhondiba and Mohanaji. Piraji is son of Jayvanta. Sambhaji is son of Vithoba. Laxman is son of

Dhondiba. Saibu is son of Mohanaji. Manyabai, Narayan and Manika are children of Piraji. Gangaram is son of Sambhaji. Umakant, Suryakant and Chandrakant are sons of Gangaram. Dnyaneshwar, Yogesh and Priyanka are children of Umakant. Ankita, Asmita and Som are children of Suryakant. Rudra, Vaishnavi and Arushi are children of Chandrakant. Dattatraya, Nagorao and Gangabai are children of Laxman. Venkat, Jaywant, Piraji, Ujjwala, Vatsala, Rukhmin, Nirmala and Panchfula are children of Manika. Madhav, Kavita and Keshav are children of Dattatraya. Prahlad and Savita are children of Nagorao. Jhanvi (Petitioner No.1) and Pranav (Petitioner No.2) are children of Prahlad.

4. On face of record, it appears that on 21.03.2009, the Respondent No.2/Scrutiny Committee granted “Mannervarlu” Scheduled Tribe validity certificate in favour of Venkat Lolamwad. On 02.01.2008, 16.07.2008 and 26.05.2008, the Respondent No.2/Scrutiny Committee issued “Mannervarlu” Scheduled Tribe validity certificates in favour of Piraji Lolamwad, Ujjwala Lolamwad and Dattatraya Lolamwad respectively. It further appears that this Court passed an order on 07.08.2023 in Writ Petition No.9453/2023 (Shravani Venkatrao Lolamad / Narayan Shesherao Lolamwad V/s. The State of Maharashtra

& Anr.) and directed the Respondent No.2/Scrutiny Committee to issue conditional “Mannervarlu” Scheduled Tribe validity certificate in favour of Petitioners therein. Both the Petitioners in Writ Petition No.9453/2023 are paternal blood relatives of the Petitioners.

5. No doubt, as per the impugned order the paternal blood relatives who were having Mannervarlu Scheduled Tribe certificates are served with notices for revocation of their validity certificates, however, as on today said validity certificates have not been revoked as till date no final orders have been passed.

6. 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. The present Petitioners are entitled to have the certificates of validity.

7. The Petitioners appear to be aspiring students pursuing professional courses. Therefore, they are called upon to furnish undertaking that, in case, their caste validity certificates are invalidated by the Scrutiny Committee, in that event they shall pay the tuition fees and admission fees applicable to the candidate from open category and no equity shall lie in their favour. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 24.06.2025 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 24.06.2025, 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 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 the Scrutiny Committee and the Educational Institutions with whom they will take admission for professional courses, indicating that in case their caste validity is revoked, they 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.]