



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

WRIT PETITION NO. 10107 OF 2025

Sneha Anilrao Molke,
Age : 19 Years, Occu: Student,
R/O. At Post Nimgaon,
Tq. Ardhapur Nanded-431704

....PETITIONER

VERSUS

1. The State Of Maharashtra
Through Its Secretary
Tribal Development Department
Mantralay, Mumbai -32
2. The Scheduled Tribe Certificate
Kinwat Division, Aurangabad,
Through its Member Secretary.
3. The Sub-Divisional Officer,
Nanded, Maharashtra

...RESPONDENTS

....

Mr. Sainath G. Jayewar, Advocate for Petitioner
Mr. S. V. Hange, AGP for Respondents-State

**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 “Koli Mahadev” 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 rival submissions canvassed on behalf of both the sides, we have gone through the petition paper book.

5. Needless to say that, the petitioner is an aspiring student seeking admission to a medical professional course. Her NEET (National Eligibility Cum Entrance Test) result has been declared and she requires a caste validity certificate for the purpose of admission. While pursuing her studies, her proposal for verification of “Koli Mahadev” Scheduled Tribe Certificate was referred to Respondent No.2/Scrutiny Committee. However, on 30.07.2025, Respondent No.2 rejected her claim of belonging to “Koli Mahadev” Scheduled Tribe on the ground that her blood relatives had obtained validity certificates by concealing and suppressing material documents. So also, the paternal blood relatives of the petitioner were served with notices for revocation of validity certificates. Consequently, the petitioner’s caste claim was invalidated along with her paternal blood relatives.

6. On the face of record, it prima facie appears that on 03.11.2010, Respondent No.2 Scrutiny Committee had issued “Koli Mahadev” Scheduled Tribe validity certificate in favour of Girdhari

Purbhaji Molke. Subsequently, the Division Bench of this Court, by order dated 24.07.2018 in ***Writ Petition No.7583 of 2018 (Sonali Girdhari Molke Vs. The State of Maharashtra & Others)***, directed the Scrutiny Committee to issue conditional validity certificate in favour of the petitioner therein, subject to the outcome of the proceeding for cancellation of validity issue in favour of petitioner's blood relations. Similarly, on 24.04.2023, this Court passed a common order in ***Writ Petition Nos.4393 of 2023 (Ajay S/o Girdhari Molke Vs. The State of Maharashtra & Ors.)*** and ***4643 of 2023 (Rahul S/o Girdhari Molke Vs. The State of Maharashtra & Ors.)***, directing the Scrutiny Committee to issue conditional validity certificates in favour of the petitioners therein.

7. As per the genealogical tree, the petitioner's forefather, Baba Molke, had three sons: Kanhoji, Maroti and Raghoji. Kashinath and Munjaji are the sons of Kanhoji. Gangaram and Purbhaji are the sons of Kashinath. Namdeo is the son of Munjaji. Girdhari, Sanjay, Sangita and Aruna are the children of Purbhaji. Maroti, Madhav, Godavari, Sanjay and Santosh are the children of Namdeo. Manjulabai, Abaji, Manika, Renukabai and Gavnavji are children of Maroti. Madhav, Narayan and Laxman are the sons of Abaji. Anil, Vijay and Jyoti are the children of Madhav. Sneha (present petitioner) and Shreyas are the children of Anil.

8. Since Respondent No.2 Scrutiny Committee granted “Koli Mahadev” Scheduled Tribe certificate on 03.11.2010 in favour of Girdhari Purbhaji Molke, who is the cousin uncle of the present petitioner, so also, this Court granted conditional validity certificates to other cousins of the petitioner, the petitioner’s claim deserves similar consideration. 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 Petitioner is entitled to have a certificate of validity.

9. Needless to say that this Court has passed various orders and granted conditional validity certificates in favour of the paternal blood relatives of the Petitioner. Therefore, the Petitioner is also entitled to have a conditional validity certificate subject to the final outcome of the matters which the Committee has decided to reopen.

10. The Petitioner appears to be an aspiring student seeking

admission to medical 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 “Koli Mahadev” 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. KHOBRADE, J.]

[MANISH PITALE, J.]

HRJadhav