



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

WRIT PETITION NO. 10119 of 2025

Pranita D/o Rukhmaji Galande,
Age: Minor, Occu: Education,
R/o. Malegaon, Tq. Ardhapur,
Dist. Nanded
Through father and natural guardian
Rukhmaji S/o Devrao Galande
Age: 50 years, Occu: Service
R/o. As above

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Health Department,
Mantralaya, Mumbai-32
2. Scrutiny Committee for Scheduled Tribes,
Through Vice-Chairman,
Kinwat Headquarter at Chh. Sambhajinagar,
Through its Member Secretary,
Dist. Chh. Sambhajinagar.

....RESPONDENTS

....
Mr. O. B. Boinwad, Advocate for the petitioner
Mr. S. P. Sonpawde, 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 04.08.2025 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 strenuous 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 B.Sc Nursing professional course. Her MHT-CET (Maharashtra Common Entrance Test) result has been declared and she requires a caste validity certificate for the purpose of admission.
6. As per the genealogical tree, Narayan Galande the great grandfather of the petitioner had two sons, namely Vyankat and Rukha. Devrao and Shankar are the sons of Rukha. Rukhmaji. Maroti, Sanjana, Kanta, Ratnamala and Sangita are the children of Devrao. Ankita, Nikita, Saurav and Pranita (present Petitioner) are the children of Rukhmaji. Shriram, Bapurao, Dattaramji, Shivaji, Vishwanath, Anjanabai and Shantabai are the children of Vyankat. Piraji, Gajanan, Suryankant, Tai and Jyoti are the children of Bapurao. Laxminarayan, Mahesh and Vishnu are the sons of Piraji. Chandu, Vyankati and Rajabai are the children of Dattaramji. GirishKumar, Amol, Balaji and Arjun are the sons of Vishwanath.

7. On the face of the record, it appears that on 05.10.2011, Respondent No.2 Scrutiny Committee granted 'Koli Mahadev' Scheduled Tribe validity certificate in favour of GirishKumar Vishwanath Galande. Subsequently, on 01.08.2019, this Court, in ***Writ Petition No.9063 of 2019 (Laxminarayan Piraji Galande Vs. The State of Maharashtra & Ors.)***, directed the Scrutiny Committee to issue conditional 'Koli Mahadev' Scheduled Tribe validity certificate in favour of the petitioner therein. Thereafter, by a common order dated 26.08.2023, this Court, ***in Writ Petition No.10492 of 2023 (Mahesh S/o Piraji Galande & Another Vs. The State of Maharashtra & Ors.)*** and ***Writ Petition No.10574 of 2023 (Ganesh S/o Chandu Galande Vs. The State of Maharashtra & Ors.)***, directed the Scrutiny Committee to issue conditional 'Koli Mahadev' Scheduled Tribe validity certificate to the petitioners. It is also a matter of record that this Court, by order dated 15.10.2024 in ***Writ Petition No.10719 of 2024 (Sourav Rukhmaji Galande Vs. The State of Maharashtra & Ors.)***, directed the Scrutiny Committee to issue conditional 'Koli Mahadev' Scheduled Tribe validity certificate. Notably, Sourav Rukhmaji Galande is the real brother of the present petitioner.

8. Since the paternal blood relatives as well as the real brother of the petitioner hold 'Koli Mahadev' conditional validity certificate, the petitioner is entitled to the same 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.

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 the B.Sc Nursing professional course and intends to secure admission under the Scheduled Tribe (ST) 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 04.08.2025 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 04.08.2025, 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. KHOBRAGADE, J.]

[MANISH PITALE, J.]