



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

WRIT PETITION NO. 10258 of 2025

Alpana Prakash Gurutwad,
Age: 20 years, Occu: Student,
R/o. ND-41, B-3-18/8,
Sambhaji Chowk, Opp.
Kusumtai High School, CIDCO,
New Nanded

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralay, Mumbai-32.
2. The Scheduled Tribe Certificate Scrutiny
Committee, Kinwat Head Quarter
Chh. Sambhajnagar,
Tq. & Dist. Chh. Sambhajnagar
Through its Deputy Director (R)
3. Sub-Divisional Magistrate,
Kandhar.

....RESPONDENTS

**WITH
WRIT PETITION NO.10262 OF 2025**

Pushpa Laxmanrao Gurutwad,
Age: 50 years, Occu: service,
R/o. ND-41-B3-18/8,
Sambhaji Chowk, Opp.
Kusumtai High School, CIDCO,
New Nanded

....PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralay, Mumbai-32.
2. The Scheduled Tribe Certificate Scrutiny
Committee, Kinwat Head Quarter
Chh. Sambhajinagar,
Tq. & Dist. Chh. Sambhajinagar
Through its Deputy Director (R)
3. Sub-Divisional Magistrate,
Kandhar.
4. Deputy Superintendent
Of Land Records, Bhokar
5. District Superintendent Land records
Nanded
6. Deputy Director of Land Records,
Chh. Sambhajinagar

....RESPONDENTS

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Mr. A. S. Golegaonkar a/w Mr. M. L. Paithane h/for Mr. M. A. Golegaonkar,
Advocate for the petitioner

Mr. V. M. Kagne and Ms. Neha B. Kamble, AGPs for Respondents-State

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

DATE : 18.08.2025

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

1. By the present petitions, the petitioners impugn the order dated 30.07.2025 passed by the Respondent No.2/Scrutiny Committee, thereby invalidating their “Mannervarlu” Scheduled Tribe claims.

2. Issue notice to the Respondents. The learned AGP waives notice on behalf of Respondents-State.
3. Considering the urgency, the matters are 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. In Writ Petition No.10258 of 2025, the petitioner is an aspiring student seeking admission to a Medical professional course. In Writ Petition No.10262 of 2025, the petitioner is in public employment.
6. As per the genealogical tree, Narsingrao Lachhmaji Gurutwad the common ancestor and grandfather of the petitioners had four sons: Narayan, Laxman, Shivram and Uttam. Supriya, Rushikesh and Rajesh are the children of Uttam. Satish, Shailaja, Sarika and Surekha are the children of Shivram. Pushpa (petitioner in WP No.10262 of 2025), Ranjana and Vijaykumar are the children of Laxman. Prakash, Sunita, Suresh and Keshav are the children of Narayan. Alpana (Petitioner in WP No.10258 of 2025) and Spandan are the children of Prakash.
7. On the face of record, it appears that the Scrutiny Committee granted 'Mannervarlu' Scheduled Tribe validity Certificates in favour of the paternal blood relatives of the petitioners, as follows:

Sr. No.	Name	Date of Order
1	Satish Shivram Gurutwad	19.04.2003
2.	Vijay Laxmanrao Gurutwad	07.10.2005
3.	Keshav Narayan Gurutwad	07.10.2005
4.	Prakash Narayanrao Gurutwad	24.04.2009

8. It is evident that, by order dated 30.07.2025, Respondent No.2-Scrutiny Committee rejected the tribe claim of the petitioners on the ground that their paternal blood relatives had obtained tribe validity certificates by suppressing material facts and by committing fraud. Consequently, notices for the proposed revocation of those tribe validity certificates have been issued to the concerned individuals. However, it is an undisputed fact that the Scrutiny Committee has not yet passed any final order invalidating the tribe validity certificates previously granted to the petitioners' paternal relatives. 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 Petitioners are entitled to have conditional certificates of validity.

9. In Writ Petition No.10258 of 2025, the Petitioner appears to be an aspiring student of medical professional course and intends to secure admission under the Scheduled Tribe reserved category. Therefore, she is called upon to furnish an 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.

10. In view of above discussion, the present Petitions deserve to be allowed partly and the impugned orders 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 Petitions are partly allowed.
- (ii) The impugned orders dated 30.07.2025, passed by Respondent No.2 Scrutiny Committee are hereby quashed and set aside.
- (iii) Respondent No.2 Scrutiny Committee shall immediately issue “Mannervarlu” Scheduled Tribe validity certificates 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) In Writ Petition No.10258 of 2025, the Petitioner shall furnish an 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 tribe validity is revoked, she 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. KHOBRAGADE, J.]

[MANISH PITALE, J.]

HRJadhav