



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10416 OF 2025

1. SHREYA ANILRAO MACHEWAD
2. SHIVANI ANILRAO MACHEWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. C. R. Thorat, Advocate for the Petitioners

Mr. R. K. Ingole, AGP for the Respondents – State

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

DATE : 21.08.2025

ORDER (PER: Y. G. KHOBRAGADE, J.) :-

1. The challenge in the present Petition is to the order dated 25.07.2025, passed by Respondent No.2 Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe certificate of the Petitioners.

2. Issue notice to the Respondents. Learned AGP waives notice on behalf of the Respondents.

3. The Petitioners are intending to secure admission to the professional courses from the seat reserved for Scheduled

Tribe Category. Therefore, considering the extreme urgency shown, the Petition is taken up for disposal at the stage of admission.

4. As per the genealogical tree, Maneji Machewad and Baba Machewad, are the real brothers. Mahadji is the son of Maneji. Manika and Lingaji are the children of Baba. Ganpat, Sambhaji, Maroti, Chandar and Govindrao, are the children of Mahadji. Satyanarayan, Baburao, Ramanand, Brahmanand and Pandurang, are the children of Maroti. Balaji, Vimal, Dadarao, Satwashila, Dadarao Bapurao and Anusaya, are the children of Chandar. Sunil, Anil and Gajanan, are the sons of Govindrao. Ramkrushna is the son of Satyanarayan. Nitish and Nishita are the children of Baburao. Shweta and Abhishek are the children of Ramanand. Amit and Akanksha are the children of Brahmanand. Yash and Aditya are the sons of Pandurang. Shrikint, Shriram and Jyoti are the children of Balaji. Saurabh and Hrithik, are the sons of Sunil. Shreya (Petitioner No.1) and Shivani (Petitioner No.2) are the children of Anil. Soham and Smit are the children of Gajanan.

5. On face of record, it appears that Respondent No.2, on 29.08.2002, granted Mannervarlu Scheduled Tribe validity certificate

in favour of Anil Govindrao Machewad, the father of the present Petitioners.

6. On 04.07.2006, the Scrutiny Committee, passed an order and granted “Mannervarlu” Scheduled Tribe validity certificate in favour of Gajanan Govindrao Machewar, the real uncle of the present Petitioners. So also, the Scrutiny Committee has issued following validity certificates in favour of paternal blood relatives of the present Petitioners, as under:-

Sr. No.	Name	Date
1.	Nitishkumar Bapurao Machewad	17.11.2004
2.	Dadarao Chandarrao Machewad	17.11.2004
3.	Satvashila Chandarrao Machewad	27.01.2004
4.	Shriram Balaji Machewad	14.09.2007
5.	Shrikant Balaji Machewad	02.01.2006
6.	Bapurao Marotirao Machewad	21.08.2006
7.	Sunil Govindrao Machewad	09.06.2005

7. On 26.09.2023, this Court, passed an order in Writ Petition No.11103 of 2022 and other three connected petitions and directed the Scrutiny Committee to issue conditional “Mannervarlu” validity certificates in favour of the Petitioners therein, subject to outcome of verification of validities of the paternal blood relatives of

the Petitioners, which have undertaken for reverification by the Scrutiny Committee.

8. No doubt, Shri Sunil Govindrao Machewad and others, the paternal blood relatives, are served with show cause notices by the Scrutiny Committee for recalling of their validity certificates, however, on 27.01.2025, this Court passed an order in Writ Petition No.1017 of 2025 and stayed the effect and operation of show cause notice. Therefore, it prima-facie appears that the validity certificates issued in favour of the paternal blood relatives of the Petitioners, are still intact. 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 certificate of validity on the ground of parity, however, the such validity shall be subject to the outcome of the

decision in the proceeding in respect of blood relatives of the Petitioners, which the Respondent No.2 Scrutiny Committee decided to re-open.

9. The learned counsel for the Petitioners submitted that the blood relatives of the Petitioners, namely, Sunil Govindrao Machewad and others have been served with notices for revocation of their validities. It is submitted that the said blood relatives of the Petitioners are voluntarily ready and willing to execute undertaking before the Scrutiny Committee, to cooperate in the decision regarding revocation of their validities. Therefore, it would be just and proper to direct Sunil Govindrao Machewad and others to file separate undertakings before the Scrutiny Committee, immediately, stating that they will cooperate with the Scrutiny Committee in respect of the proceedings.

10. Since the petitioners appear to be aspiring candidates for admission to professional courses and they intend to secure admission under the Scheduled Tribe reserved category, they are directed to furnish undertaking that, in the event their claims are invalidated by Respondent No.2 Scrutiny Committee, they shall pay the tuition and

admission fees applicable to a candidate from open category and no equity shall lie in their favour.

11. In view of the above discussion, the present Petition deserves to be partly allowed and the impugned order dated 25.07.2025, passed by Respondent No.2, 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 25.07.2025, 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 certificates in favour of the Petitioners, which shall be subject to following conditions:-
 - (a) The caste validity certificate shall be subject to the outcome of the re-verification of the validity certificate 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 Respondent No.2 Scrutiny Committee and the Educational Institution with which they seek admission for professional courses, stating that in the event of their caste validity is revoked, they shall

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.

(iv) Mr. **Sunil Govindrao Machewad and others**, who are blood relatives of the Petitioners, shall furnish undertaking before the Scrutiny Committee, stating that they will cooperate and appear before the Scrutiny Committee as and when called upon.

(v) The Writ Petition is disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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