



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10343 OF 2025

Saraswati d/o Baliram Putwad ... **Petitioner**
Age: Minor Occu: Education
Through father and natural guardian -
Baliram s/o Bhagwanta Putwad
Age 48 years, Occu: Service
R/o Plot No.19-20, Hariom Niwas,
Nitumalanagar, Wadi Bk Nanded
Tq. and Dist. Nanded

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe Certificate Scrutiny ... **Respondents**
Committee, Kinwat Division,
Aurangabad (Chh. Sambhajinagar)
Through its Deputy Director (R)
3. The Sub Divisional Officer,
Bhokar, Dist. Nanded

Mr. Sunil M. Vibhute, Advocate for the petitioner,
Mr. R. K. Ingole, AGP for the Respondents State

CORAM : **MANISH PITALE &**
Y. G. KHOBRAGADE, JJ.

DATE : **22.08.2025**

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

1. The challenge in the present Petition is to the order dated
14.08.2025, passed by Respondent No.2 Scrutiny Committee,

invalidating “Koli Mahadev” Scheduled Tribe Certificate of the Petitioner.

2. Issue notice to the respondents. Learned AGP waives notice for both the respondents.

3. The petitioner is a student and requires validity for education purpose. The petitioner is intending to secure admission to professional course from the seat reserved for the Scheduled Tribe Category. Therefore, considering the urgency shown, the petition is taken up for disposal at the stage of admission.

4. Heard both sides at length.

5. As per the genealogical tree, Sitaram Santuka Putwad had one son, Maroti. Bhagwanta is son of Maroti. Madhav, Bhanudas, Baliram and Ankush are sons of Bhagwanta. Ramkisan and Sarswati (Present Petitioner) are children of Baliram. Maroti and Rutuja are children of Madhav. Aditya and Bhakti are children of Bhanudas. Omkar and Gayatri are children of Ankush. On face of record, it appears that, on 01.02.2005 and 20.09.2005, Respondent No. 2 Scrutiny Committee granted “Koli Mahadev” Scheduled Tribe Validity Certificate in favour of Bhaudas Bhagwanta Putwad and Ankush Bhagwanta Putwad, real uncles of the present petitioner. On 29.12.2008, Respondent no. 2 Scrutiny Committee granted “Koli Mahadev” Scheduled Tribe Validity

Certificate in favour of Baliram Bhagwanta Putwad, the father of the present petitioner.

6. On perusal of record, it further appears that on 01.08.2023 this court passed an order in Writ Petition No. 12072 of 2021(Aditya Bhanudas Putwad and another V/s State of Maharashtra) and directed Respondent No. 2, Scrutiny Committee to issue conditional validity of belonging to “Koli Mahadev” Scheduled Tribe Certificate. Further, on 21.08.2024, this court passed an order in Writ Petition No. 8628 of 2024(Bhakti Bhanudas Putwad V/s State of Maharashtra) and directed Respondent No. 2 to issue conditional validity of “Koli Mahadev” Scheduled Tribe Certificate. The petitioners in both these petitions are paternal blood relatives of the present petitioner. The said fact is not denied by the Respondent No. 2 Committee.

7. Needless to say that, on 10.04.2023 Respondent no. 2 passed an order in cases of father and real uncles of petitioner and revoked “Mannervarlu” Scheduled Tribe Validity Certificate. Therefore, the father and uncle of the petitioner filed writ petitions before this court i.e. Writ Petition No. 6668 of 2023, (Bhanudas Bhagwanta Putwad V/s State of Maharashtra), Writ Petition No. 6672 of 2023(Baliram Bhagwanta Putwad and others V/s State of Maharashtra) and Writ Petition No. 6674 of 2023(Madhav Bhagwanta Putwad V/s State of

Maharashtra). On 20.06.2023 this court issued notice and granted stay to the order dated 10.04.2023 passed by the Respondent No. 2. However, as on today, the said Writ petitions are pending for final decision. Therefore, as on today the parental blood relatives of the petitioner are holding the Validity Certificate and not yet revoked.

7. As on today, the validity certificates of Koli Mahadev Scheduled Tribe issued in favour of the blood relatives of the petitioner are still in operation. Since the paternal blood relatives of the Petitioner, including her real father and real uncles are having “Koli Mahadev” Scheduled Tribe validity certificates, considering the parity, the Petitioner is also entitled to have “Koli Mahadev” Scheduled Tribe validity certificate. However, such validity shall be subject to the outcome of the decision in the proceeding in respect of blood relatives of the Petitioner, which the Respondent No.2 decided to re-open.

8. Learned counsel for the petitioner voluntarily submitted that blood relatives of the petitioner to whom the notice for revocation of validity has been served shall execute an undertaking before the Respondent No.2 Committee that they would regularly appear in the matter and shall cooperate with the Committee for early decision in the said matter.

9. 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 the certificate of validity.

10. The Petitioner appears to be the aspiring student for the professional course. 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 candidates from open category and no equity shall lie in her favour.

11. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 14.08.2025, 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 14.08.2025, 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 certificate shall be subject to the outcome of the re-verification of the validity certificates of her blood relatives proposed by the Scrutiny Committee and it shall also be subject to the result of Writ Petition No. 6668 of 2024, Writ Petition No. 6672 of 2024 and Writ Petition No. 6674 of 2024.
 - (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.)