



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

963 WRIT PETITION NO. 10394 OF 2025

RUSHIKESH RAOSAHEB BODHANKAR AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND ANOTHER

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Mr. Chandrakant R. Thorat – Advocate for Petitioners

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

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

DATE : 20.08.2025

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

1. By the present petition, the petitioners take exception to the order dated 06.08.2025 passed by respondent No.2 – Scrutiny Committee, thereby invalidating their ‘Mannervarlu’ Scheduled Tribe claim.
2. Issue notice to the respondents. The learned A.G.P. waives service of notice on behalf of both the respondents.
3. Considering the urgency, the matter is taken up for final disposal at the motion stage. Heard both sides at length.
4. Having regard to the rival submissions canvassed on behalf of both sides, we have perused the petition paper book. Needless to say that, the petitioners are aspiring students of a professional medical course and

they require a tribe validity certificate for the purpose of admission.

5. As per the genealogical tree, Shri. Vithoba Bodhankar, the great-grandfather of the petitioners, had two sons, namely Ganoji and Narayan. Mahajan and Vyankat are the sons of Ganoji, while Vitthal is the son of Narayan. Raosaheb and Sahebrao are the sons of Mahajan. Balwant is the son of Vyankat. Ashok is the son of Vitthal. Rushikesh and Rutuja are the children of Raosaheb, and Shubham is the son of Ashok.

6. On the face of record, it appears that respondent No.2 – Scrutiny Committee granted ‘Mannervarlu’ Scheduled Tribe validity certificates in favour of following parental blood relatives of the petitioners :

Sr. No.	Name of validity holder	Relation	Date of validity	Remark
1.	Shri. Raosaheb Mahajan Bodhankar	Cousin Uncle	10.11.2005	Valid
2.	Shri. Sahebrao Mahajan Bodhankar	Cousin Uncle	03.07.2008	Valid
3.	Shri. Nagorao Maroti Bodhankar	Cousin Uncle	02.12.2008	Valid
4.	Shri. Vijay Gangadhar Bodhankar	Cousin Uncle	23.12.2009	Valid
5.	Shri. Bodhankar Govind Gangadhar	Cousin Uncle	23.12.2009	Valid
6.	Shri. Bodhankar Gangadhar Khandoji	Cousin Grandfather	26.05.2010	Valid
7.	Shri. Bodhankar Balwant Vyankatrao	Cousin Brother	08.02.2011	Valid
8.	Shri. Bodhankar Ashok Vitthalrao	Father	18.04.2011	Valid
9.	Shri. Pralhad Ramchandra @ Chandar Bodhankar	Cousin Uncle	14.12.2009	Valid

On 08.02.2022, a Division Bench of this Court passed an order in Writ Petition No. 566 of 2022 (**Shubham Ashok Bodhankar Vs.**

The State of Maharashtra and Ors.) directing the respondent No.2 – Scrutiny Committee to issue a conditional ‘Mannervarlu’ Scheduled Tribe Validity Certificate in favour of petitioner therein. The respondent No. 2 – Scrutiny Committee has not denied the paternal blood relations between the present petitioners and the other validity holders. However, by the impugned order dated 06.08.2025, respondent No.2 – Scrutiny Committee held that the paternal blood relatives had obtained the Scheduled Tribe Certificates by suppressing material facts and on the basis of false information, and therefore the validity holders were served with notices for revocation of their validities. However, it is not in dispute that the respondent No.2 – Scrutiny Committee has not invalidated or revoked the said validities issued in favour of paternal blood relatives of the petitioners.

7. Considering the law laid down in the cases of **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and Ors.**, reported in AIR 2023 SC 1657, **Shweta Balaji Isankar Vs. State of Maharashtra and Ors.**, reported in 2018 SCC Online Bom. 10341, **Apoorva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and Ors.**, reported in 2010(6) Mh.L.J. 401, wherein it has been held 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 be issued a validity certificate. However, the said validity shall be co-terminus with the decision in the matter which the Committee may decide to reopen.

8. Learned Counsel appearing for the petitioners submitted that the blood relatives, namely, Raosaheb Mahajan Bodhankar and Pralhad Ramchandra @ Chandar Bodhankar, 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 undertakings before the respondent No.2 – Scrutiny Committee, undertakings to cooperate in the decision regarding revocation of their validities. In these circumstances, it would be just and proper to direct Raosaheb Mahajan Bodhankar and Pralhad Ramchandra @ Chandar Bodhankar to file separate undertakings before respondent No.2 – Scrutiny Committee, within a period of one week from today, stating that they will cooperate with the said Committee in respect of the invalidation of the tribe proceedings.

9. Since the petitioners appear to be aspiring candidates for admission to professional medical courses and they intend to secure admission under the Scheduled Tribe (ST) reserved category, they are directed to furnish undertakings 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 the open category, and no

equity shall lie in their favour.

10. In view of the above discussion, the present petition deserves to be partly allowed and the impugned order dated 06.08.2025 passed by the 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 06.08.2025 passed by the respondent No.2 – Scrutiny Committee is hereby quashed and set aside.
- iii. Respondent No.2 – Scrutiny Committee shall immediately issue ‘Mannervarlu’ Scheduled Tribe validity certificate in favour of the petitioners, which shall be subject to the 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, as proposed by the Scrutiny Committee.
 - (b) The petitioners shall furnish undertakings before the Registrar (Judicial) of this Court, as well as before respondent No.2 – Scrutiny Committee and the Educational Institution with which they seeks admission for a professional course, stating that in the event their

caste validity is revoked, they shall deposit the tuition fees and other charges applicable to candidates from the open category.

(c) The petitioners shall not claim any equity.

(d) The petitioners shall cooperate with the Scrutiny Committee.

iv. Raosaheb Mahajan Bodhankar and Pralhad Ramchandra @ Chandar Bodhankar, who are blood relatives of the petitioners, shall furnish undertakings before respondent No.2 – Scrutiny Committee within a period of one week from today, 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. KHOBRAGADE, J.)

(MANISH PITALE, J.)