



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

939 WRIT PETITION NO. 10454 OF 2025

1. SANKET PARMESHWAR BOYANE
2. MANSI PARMESHWAR BOYANE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

WITH

WRIT PETITION NO. 10455 OF 2025

PARMESHWAR VALJINATH BOYANE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. Pratap V. Jadhavar, Advocate for the Petitioners

Mr. S. V. Hange, 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. In both these Petitions, the Petitioners who are paternal blood relatives, have challenged the common order dated 06.08.2025, passed by Respondent No.2 Scrutiny Committee, invalidating their “Koli Mahadev” Scheduled Tribe certificate.

2. In Writ Petition No.10455 of 2025, the Petitioner Parmeshwar Vaijinath Boyane, is in employment with Respondent

No.3, which is formal party. Therefore, notice to Respondent No.3 is dispensed with.

3. In both the Petitions, issue notice to Respondent Nos.1 and 2. The learned AGP waives notice on behalf of Respondent Nos.1 and 2 in both the Petitions.

4. Having heard the rival submissions canvassed on behalf of both the sides, we have gone through the genealogical tree. As per the genealogical tree, Jethappa Boyane, the great grandfather of the Petitioners in both these Petitions, had two sons, namely, Gundappa and Santram. Dnyanoba, Muktabai and Parmeshwar (Petitioner in Writ Petition No.10455 of 2025), are the children of Vaijinath. Arjun, Subhash and Janabai are the children of Rangrao. Navnath, Mahesh and Ganesh are the children of Dnyanoba. Manasi, Sneha (Petitioner No.2 in Writ Petition No.10454 of 2025) and Sanket (Petitioner No.1 in Writ Petition No.10454 of 2025), are the children Parmeshwar.

5. On face of record, it appears that Respondent No.2 issued “Koli Mahadev” Scheduled Tribe certificate in favour of paternal blood relatives of the present Petitioners as under:-

Sr. No.	Name	Date
1.	Dnyanoba Vaijinath Boyane	08.10.2007
2.	Navnath Dnyanoba Boyane	02.07.2007
3.	Mahesh Dnyanoba Boyane	30.08.2019
4.	Ganesh Dnyanoba Boyane	23.01.2021

6. On 06.08.2025, the Scrutiny Committee has passed the impugned order and invalidated the caste claim of the Petitioners on the ground that the blood relatives of the Petitioner have obtained the validity certificates by playing fraud and suppressing the material fact. Therefore, the validity holders are served with the notice for revocation of their validity.

7. 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.

8. Since the Petitioners in Writ Petition No.10454 of 2025 appear to be the 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. So also, the Petitioner in Writ Petition No.10455 of 2025, is in employment working with Respondent No.3, therefore, he shall execute an undertaking with his employer and Respondent No.2 Scrutiny Committee that he will not claim any equity in case the validity certificate of his paternal blood relatives are revoked and he will cooperate with the Scrutiny Committee.

9. In view of the above discussion, the present Petitions deserve to be partly allowed and the impugned order dated

06.08.2025, passed by Respondent No.2, needs to be quashed and set aside. Accordingly, we proceed to pass the following order:-

ORDER

- (i) The Writ Petitions are partly allowed.
- (ii) The impugned order dated 06.08.2025, 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 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 certificates of their blood relatives proposed by the Scrutiny Committee.
 - (b) The Petitioners in Writ Petition No.10454 of 2025, 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) The blood relatives of the Petitioners, who have received notice dated 13.07.2021 by the Scrutiny Committee, 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 Petitions are disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRAGADE, J.]

[MANISH PITALE, J.]

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