



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

WRIT PETITION NO. 10430 OF 2025

ADITYA RAMAKANT WARKAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Pratap V. Jadhavar, Advocate for the Petitioner

Mr. S. P.Sonpawale, 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 08.08.2025, passed by Respondent No.2 Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe certificate of the Petitioner.

2. Heard both the sides at length.

3. The Petitioner is the aspiring student to secure admission to the professional course reserved for the Scheduled

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

4. As per the genealogical tree, Nagoji Jalbaji Warkad, the great grandfather of the Petitioner had one son, namely, Satwaji Nagoji Warkad. Mahajan, Sambhaji and Nagorao are the sons of Satwaji. Dilip is the son of Mahajan. Shivaji and Pramod are the sons of Sambhaji. Ramakant, Aashatai, Ushatai and Rekhatai are the children of Nagorao. Abhay and Aditya (Present Petitioner), are the sons of Ramakant.

5. On face of record, it appears that, the Scrutiny Committee issued Mannervarlu Scheduled Tribe validity certificate in favour of paternal blood relatives of the Petitioner on different dates, as under:-

Sr. No.	Name	Date
1.	Ramakant Nagorao Warkad	31.05.2006
2.	Nagorao Satwaji Warkad	13.02.2010
3.	Ashatai Nagorao Warkad	06.01.2009
4.	Usha Nagorao Warkad	17.04.2009

6. On 22.08.2025, this Court has passed an order in Writ Petition No.11216 of 2019 (Abhay Ramakant Warkad Vs. The State of Maharashtra and others) and directed the Scrutiny Committee to

issue conditional validity certificate in favour of the real brother of the Petitioner, subject to final outcome of the re-verification undertaken by the Scrutiny Committee.

7. On 08.08.2025, the Scrutiny Committee has passed the impugned order and invalidated the caste claim of the Petitioner 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.

8. Needless to say that the Scrutiny Committee has not denied the paternal blood relations between the present Petitioner and other validity holders. No doubt, the Scrutiny Committee has recorded the finding that Shri **Harsh Shivaji Warkad**, the blood relative of the Petitioner is served with notice. However, the fact remains that the validity granted in favour of paternal blood relatives of the Petitioner is still intact. Therefore, 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 also entitled to have a certificate of validity.

9. Since the Petitioner appears to be aspiring candidate for admission to professional courses and he intends to secure admission under the Scheduled Tribe reserved category, he is directed to furnish undertaking that, in the event his claim is invalidated by the Scrutiny Committee, he shall pay the tuition and admission fees applicable to a candidate from the open category and no equity shall lie in his favour.

10. The learned counsel for the Petitioner voluntarily made a statement that the blood relatives of the Petitioner who are served with the notices for revocation of validity, are willing to furnish undertaking before the Scrutiny Committee to cooperate in the matter of revocation of validity.

11. In view of the above discussion, the present Writ Petition deserves to be allowed and the impugned order dated 08.08.2025,

passed by Respondent No.2 Committee, deserves 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 08.08.2025, 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 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 certificate of his blood relatives proposed by the Scrutiny Committee.
 - (b) The Petitioner 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 he seeks admission for professional course, stating that in the event of his caste validity is revoked, he shall 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.

(iv) Mr. **Harsh Shivaji Warkad**, who is blood relative of the Petitioner, shall furnish undertaking before the Scrutiny Committee, stating that he 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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