



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

WRIT PETITION NO. 10698 OF 2025

Parth s/o Hanmant Jakkewad ... **Petitioner**
U/Guardian of his father
Hanmant Maneji Jakkewad
Age 43 years, Occu: Service
R/o Degaon, Tq. Naigaon (Khai)
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
Headquarter at Chhatrapati Sambhajanagar,
Through its Deputy Director (R)

Mr. Anil P. Piratwad, Advocate for the petitioner,
Mr. S. N. Kendre, AGP for the Respondents State

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

DATE : 2nd September, 2025

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

1. The challenge in the present Petition is to the order dated 8th August, 2025, passed by Respondent No.2 Scrutiny Committee in

Case No. 9/511/EDU/012024/58750, invalidating “Mannervarlu” Scheduled Tribe claim of the Petitioner.

2. Issue notice to the respondents. Learned AGP waives notice on behalf of 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, forefather of the petitioner namely Maneji alias Dhondiba Jakkewad has four sons namely Ganpati, Pottanna, Dhondiba and Lachhama. Chandarbai, Maneji, Rajebai, Mahajan, Nagarbai and Dhondiba are the children of Ganpati. Hanmant (Validity holder), father of the petitioner and Shakuntala are the children of Maneji. In another branch of genealogy, Rajeshwar is the son of Potanna Jakkewad. Sunildatta (validity holder), Parnesgwar(validity holder), Sunita and Avadhut are the children of Rajeshwar Potanna Jakkewad. Sanjana (Validity holder) is the daughter of Sunildatta.

6. On face of record, it appears that on 19.04.2003, Respondent No.2 Scrutiny Committee had granted validity certificates of belonging to Mannervarlu Schedule Tribe in favour of Hanmant Maneji Jakkewad, father of the petitioner. On 29.11.2005, Respondent No.2 Scrutiny Committee had granted validity certificate of belonging to Mannervarlu Schedule Tribe in favour of Sunildatta Rajeshwar Jakawad, cousin uncle of the petitioner. On 14.09.2010, Respondent No.2 Scrutiny Committee had granted validity certificate of belonging to Mannervarlu Schedule Tribe in favour of Parmeshwar Rajeshwar Jakawad, cousin uncle of the petitioner. Further, on 24.10.2024, this court passed order in Writ Petition No. 12032 of 2024 and directed the committee to issue conditional validity of belonging to Mannervarlu Scheduled Tribe in favour of Sanjana d/o Sunildatta Jakkawad, cousin sister of the petitioner.

7. Respondent No.2 passed the impugned order and invalidated the scheduled tribe claim of the petitioner on the grounds the petitioner has failed to prove the affinity test and that the paternal blood relatives of the petitioner obtained validity certificates on the basis of false documents and concealment of original record and therefore, notice for revocation of their validity certificates was issued. However, as on today, the validity certificates of

"Mannervarlu" Scheduled Tribe issued in favour of blood relatives of the petitioner, including father are still in operation. Admittedly, the validity holders are the blood relatives of the petitioner and the Committee has not denied the same.

8. In cases of *Mah. Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors.*; AIR 2023 S.C. 1657, *Shweta Balaji Isankar V/s. 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], 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. Therefore, considering parity with the blood relatives of the petitioner, the petitioner is entitled to have conditional validity subject to outcome of the decision in the proceedings in respect of the blood relatives of the petitioner, which the committee has decided to reopen.

9. 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.

10. The Petitioner appears to be the aspiring student for the professional course. Therefore, he is called upon to furnish undertaking that, in case, his tribe validity certificate is invalidated by the Scrutiny Committee, in that event he shall pay the tuition fees and admission fees applicable to the candidates from open category and no equity shall lie in his favour.

11. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 8th August, 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 8th August, 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 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 the his blood relatives, if any, proposed by the Scrutiny Committee.

- (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 he will take admission for professional course, indicating that in case his caste validity is revoked, he 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.
- v) Mr. Hanmant Maneji Jakkewad, Sunildatta Rajeshwar Jakkewad, Parmeshwar Rajeshwar Jakkewad and other blood relatives of the Petitioner, to whom the notice for revocation of validity has been served, shall immediately furnish undertaking before the Scrutiny Committee, stating that they will cooperate and appear before the Scrutiny Committee as and when called upon.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)