



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

**WRIT PETITION NO. 10665 OF 2025**

1. PRIYA RAKHAMAJI SIRSEWAD
2. PIYUSH RAOSAHEB SIRSEWAD THROUGH MOTHER AND  
NATURAL GUARDIAN JAYSHREE W/O RAOSAHEB SIRSEWAD
3. MUNJAJI SHRIHARI SIRSEWAD
4. SONAL PRALHAD SIRSEWAD

**VERSUS**

**THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. S. M. Vibhute, Advocate for the Petitioners

Mr. V. M. Kagne, AGP for the Respondents – State

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

**DATE : 03.09.2025**

**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 “Mannervarlu” Scheduled Tribe certificate of the Petitioners.

2. Issue notice to the Respondents. Learned AGP waives notice on behalf of the Respondents.

3. The Petitioners are intending to secure admission to the professional courses from the seat reserved for Scheduled Tribe Category. Therefore, considering the extreme urgency shown, the Petition is taken up for disposal at the stage of admission.

4. As per the genealogical tree, Bhimrao, Kisanrao and Sitaram, are the sons of Dhondiba Punjaji Sirsewad. Narhari, Pralhad, Prakash and Raosaheb are the sons of Bhimrao. Meera and Vishal are the children of Narhari. Ganesh, Sonal and Riya are the children of Pralhad. Narhari, Priyanka and Om, are the children of Prakash. Jagdish and Piyush are the sons of Raosaheb. Shrihari, Dhondiba and Manik are the sons of Kisanrao. Rakhmaji and Rahul are the sons of Sitaram.

5. On face of record, it appears that the following blood relatives of the Petitioners are having “Mannervarlu” Scheduled Tribe validity certificates :-

| Sr. No. | Name                      | Date       |
|---------|---------------------------|------------|
| 1.      | Rajkumar Sitaram Sirsewad | 01.12.1999 |
| 2.      | Rahul Sitaram Sirsewad    | 27.08.2001 |
| 3.      | Prakash Bhimrao Sirsewad  | 31.12.2004 |
| 4.      | Pralhad Bhimrao Sirsewad  | 31.12.2004 |

|     |                              |                                                 |
|-----|------------------------------|-------------------------------------------------|
| 5.  | Shrihari Kishanrao Sirsewad  | 27.08.2007                                      |
| 6.  | Dhondiba Kishan Sirsewad     | 19.05.2009                                      |
| 7.  | Raosaheb Bhimrao Sirsewad    | 23.09.2009                                      |
| 8.  | Ganesh Pralhad Sirsewad      | 15.12.2009                                      |
| 9.  | Priyanka Prakashrao Sirsewad | W.P. No.<br>7541/2018 Order<br>dated 23.07.2018 |
| 10. | Om Prakash Sirsewad          | W.P. No.<br>7444/2024 Order<br>dated 18.07.2024 |
| 11. | Meera Narhari Sirsewad       | W.P. No.<br>3068/2025 Order<br>dated 04.03.2025 |
| 12. | Manik Kishanrao Sirsewad     | W.P. No.<br>3071/2025 Order<br>dated 04.03.2025 |
| 13. | Ramji Bapurao Sirsewad       | W.P. No.<br>3072/2025 Order<br>dated 04.03.2025 |
| 14. | Gajanan Bhagwanrao Sirsewad  | W.P. No.<br>3077/2025 Order<br>dated 04.03.2025 |

6. Since the paternal blood relatives of the Petitioners are having “Mannervarlu” Scheduled Tribe validity certificates, considering the parity, the Petitioners are also entitled to have “Mannervarlu” scheduled tribe validity certificates. However, 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.

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 Committed decided to re-open.

8. Needless to say that on 14.08.2025, the Scrutiny Committee has passed the impugned order holding that the blood relatives of the Petitioners, have obtained validity certificates by playing fraud and producing false and fabricated documents.

9. Learned counsel for the Petitioners submitted that the blood relatives of the Petitioners are voluntarily ready and willing to

execute undertakings before the Scrutiny Committee, undertakings to cooperate in the decision regarding revocation of their validities.

10. Since the petitioners appear to be 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.

11. In view of the above discussion, the present Petition deserves to be partly allowed and the impugned order dated 14.08.2025, passed by Respondent No.2, needs to be quashed and set aside. Accordingly, we proceed to pass the following order:-

### **ORDER**

- (i) The Writ 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 “Mannervarlu” 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 certificate of their blood relatives proposed by the Scrutiny Committee.
- (b) The Petitioners 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 obtained the validity certificates, 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 Petition is disposed of. Pending applications, if any, also stand disposed of.

**[ Y. G. KHOBRADE, J. ]**

**[ MANISH PITALE, J. ]**