



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10663 OF 2025

CHADRAHAS LIMBA CHUNCHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

AND
WRIT PETITION NO. 10670 OF 2025

SAMADHAN BALAJI CHUNCHE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

AND
WRIT PETITION NO. 10671 OF 2025

MAHADEV CHAITRAM CHUNCHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....
Mr. Sunil M. Vibhute, Advocate for the Petitioners
Mr. R. K. Ingole, 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. In these Petitions, the Petitioners who are paternal blood relatives, have challenged the common order dated 21.08.2025, passed by Respondent No.2 Scrutiny Committee, invalidating their “Koli Mahadev” Scheduled Tribe certificates.

2. The Petitioner in Writ Petition No.10670 of 2025 is the aspiring student who intends to secure admission for professional course. The Petitioners in Writ Petition Nos. 10663 of 2025 and 10671 of 2025 are in employment. Therefore, considering the extreme urgency shown, the Petitions are taken up for disposal at the stage of admission.

3. Heard both the sides at length.

4. We have perused the genealogy placed on record. On face of record, it appears that on 29.05.2010, the Scrutiny Committee has granted validity certificate of belonging to “Koli Mahadev” Scheduled Tribe in favour of **Nitin Chandrahas Chunchhe**. So also, on 25.10.2010, the Scrutiny Committee has granted validity certificate of belonging to “Koli Mahadev” Scheduled Tribe in favour of **Ashok Shrirang Chunchhe**. These validity holders are the paternal blood relatives of the present Petitioners. The Respondent No.2 Scrutiny Committee passed the impugned order and invalidated the tribe claim of the Petitioners on the ground that the blood relative of the Petitioners have obtained validity certificates on the basis of false documents and

concealment of original record However, as on today, the validity certificates of “Koli Mahadev” Scheduled Tribe, issued in favour of **Nitin and Ashok**, are still in operation. Admittedly, the validity holders are the blood relatives of the Petitioners and the Committee has not denied the same.

5. Since the paternal blood relatives of the Petitioners are having “Koli Mahadev” Scheduled Tribe validity certificates, considering the parity, the Petitioners are also entitled to have “Koli Mahadev” 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.

6. 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, 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. Since the Petitioner in Writ Petition No.10670 of 2025 appears to be the aspiring candidate for admission to professional course 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 Respondent No.2 Scrutiny Committee, he shall pay the tuition and admission fees applicable to a candidate from open category and no equity shall lie in his favour. So also, the Petitioners in Writ Petition Nos.10663 of 2025 and Writ Petition No. 10671 of 2025, are in employment, they shall execute undertaking with their respective employers and Respondent No.2 Scrutiny Committee that they will not claim any equity in case the validity certificate of their paternal blood relatives are revoked and they will cooperate with the Scrutiny Committee.

8. In view of the above discussion, the present Petitions deserve to be partly allowed and the impugned order dated 21.08.2025, 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 21.08.2025, 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 Petitioner in Writ Petition No.10670 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 he seek admission for professional courses, 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 Petitioners shall not claim any equity.

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

(iv) **Nitin** and **Ashok**, the blood relatives of the Petitioners, 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. KHOBRADE, J.]

[MANISH PITALE, J.]

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