



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10664 OF 2025

1. RUNAL MUNJABHAU WALLAMWAD THROUGH GUARDIAN
MUNJABHAU LULAJI WALLAMWAD

2. RUTIK MUNJABHAU WALLAMWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. C. R. Thorat, Advocate for the Petitioners

Ms Neha B. Kamble, 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 08.08.2025, 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, Narayan, Ramchandra, Tulshiram and Kaloji are the sons of Kondiba Wallamwad. Namdeo, Thamaji and Masaji are the sons of Narayan. Tulaji is the son of Thamaji. Munjabhau, Suresh, Thamaji and Sangita are the children of Tulaji. Rutik (Petitioner No.2) and Runal (Petitioner No.1) are the sons of Munjabhau.

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	Validity issued by Scrutiny Committee / High Court W.P.
1.	Namdev Dagdiram Wallamwad	Committee
2.	Shivaji Dagdiram Wallamwad	Committee
3.	Munjabhau Lulaji Wallamwad	Committee
4.	Munjaji Ramkishan Wallamwad	Committee
5.	Rajesh Digambar Wallamwad	Committee
6.	Sonali Digambar Wallamwad	Committee
7.	Vijay Digambar Wallamwad	Committee
8.	Vaijnath Baburao Wallamwad	Committee
9.	Vishwanath Baburao Wallamwad	Committee

10.	Daivshala Shrirang Wallamwad	Committee
11.	Shrikant Shrirang Wallamwad	Committee
12.	Sonali Shrirang Wallamwad	Committee
13.	Lulaji Thamaji Wallamwad	W.P. No.3862/2022
14.	Suresh Lulaji Wallamwad	W.P. No.3807/2022
15.	Sonali Namdev Wallamwad	W.P. No.7760/2021
16.	Arjun Dagdiram Wallamwad	W.P. No.7741/2021
17.	Pallavi Namdev Wallamwad	W.P. No.7311/2021
18.	Aishwarya Shivaji Wallamwad	W.P. No.7312/2021
19.	Vijay Namdev Wallamwad	W.P. No.7758/2021
20.	Priyanka Shivaji Wallamwad	W.P. No.7883/2021
21.	Ankush Murlidhar Wallamwad	W.P. No.3743/2022
22.	Asaram Baburao Wallamwad	W.P. No.3787/2024
23.	Kalpana Vaijnath Wallamwad	W.P. No.13903/2024
24.	Sunil Narayan Wallamwad	W.P. No.3588/2024
25.	Balaji Narayan Wallamwad	W.P. No.3588/2024

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. By impugned order, the Scrutiny Committee held that the paternal blood relatives of the Petitioners, namely, **Shivaji Dagdiram Wallamwad, Namdeo Dagdiram Wallamwad, Sonali Digambar Wallamwad, Vijay Digambar Wallamwad, Rajesh Digambar Wallamwad, Tulshiram and Munjabhau Lulaji Wallamwad**, had obtained the Scheduled Tribe Certificates by suppressing material facts and on the basis of false information, and therefore, the validity holders were served with notices for revocation of their validities. However, it is not in dispute that the Scrutiny Committee has not invalidated or revoked the said validities issued in favour of paternal blood relatives of the Petitioner.

8. 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.

9. Needless to say that on 08.08.2025, 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.

10. 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.

11. 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.

12. In view of the above discussion, the present Petition deserves to be partly allowed and the impugned order dated 08.08.2025, 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 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 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) **Shivaji, Namdeo, Sonali, Vijay, Rajesh, Tulshiram and Munjabhau**, 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. KHOBRAGADE, J.]

[MANISH PITALE, J.]

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