



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10673 OF 2025

Champatrao s/o Dinkar More ... **Petitioner**
Age: 21 years, Occu: Student,
R/o Murtijapur Sawangi,
Tq. Aundha Nagnath, Dist. Hingoli

VERSUS

1. The State of Maharashtra,
Through its Principal Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe certificate Verification ... **Respondents**
Committee, Kinwat
Headquarter at Aurangabad,
Through its Member Secretary

Mr. O. B. Boinwad a/w Mr. C. K. Chinchole a/w Mr. S. R. Nikam,
Advocates for the petitioner,
Ms. N. B. Kamble, AGP for the Respondents-State

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

DATE : **04.09.2025**

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

1. The challenge in the present Petition is to the order dated 14.07.2025, passed by Respondent No.2 - Scrutiny Committee, invalidating "Koli Mahadev" Scheduled Tribe claim of the Petitioner.

2. Issue notice to the respondents. Learned AGP waives notice for both the respondents.

3. Having regard to the submissions canvassed on behalf of both the sides, we have gone through the petition paper book.

4. The petitioner is intending to secure admission to the professional course from the seat reserved for the Scheduled Tribe Category. Schedule of admissions has started as NEET result is declared. Therefore, considering the extreme urgency shown, the petition is taken up for disposal at the stage of admission.

5. On face of record, it appears that on 20.06.2023, Koli Mahadev – Scheduled Tribe claim of the petitioner was referred for scrutiny through the Principal, Sant Pachlegaonkar Maharaj Junior College, Kothala, District Parbhani. The petitioner submitted various documents of his paternal blood relatives and the fourteen validity certificates issued by the respondent no.2 – Scrutiny Committee in favour of his paternal blood relatives. So also, the petitioner produced other documents to prove that he is belonging to Koli Mahadev – Scheduled Tribe. However, on 14.07.2025, respondent no.2 passed the impugned order holding that the paternal blood relatives of the petitioner obtained validity certificates by playing fraud and suppressing material facts and also the interpolation entries in school record of the

paternal blood relatives of the petitioner. The paternal blood relatives of the petitioner who are holding validity are served with the show cause notice for revocation of their validity certificates.

6. As per the genealogical tree, Khanderao More had six sons namely Sadbarao, Bapurao, Anbarao, Chimarao, Punjarao and Hirbarao. Babarao is son of Punjarao. Govind, Ganesh, Sanjaprao, Amrutrao, Punjarao, Hanuvantrao, Machankrao are sons of Babarao. Shankarrao Bajirao, Nagorao, Champatrao and Dattrao are sons of Bhaurao. Malbarao, Khanderao, Vyankatrao and Ganpatrao are the sons of Malharrao. Devidas, Vinayak, Bhanudas and Bhaskar are children of Shankarrao. Vikas, Prakash, Sushma and Pratibha are children of Bhaskarrao. Khanderao had five sons namely Gulabrao, Uttamrao, Sahebrao, Subharao and Malharrao. Shivani, Shweta and Prathmesh are children of Jaywantrao and great grand children of Khanderao.

7. On face of record, it appears that the Scrutiny committee as well as this Court granted Koli Mahadev – Scheduled Tribe certificates in favour of various paternal blood relatives of the petitioner as under:

**Chart showing validity certificates granted by respondent no.2-
Scrutiny Committee**

Sr. No	Name of Validity Holder	Relation with the petitioner
1	Bhaurao Malbarao More	Cousin Grandfather
2	Govind Malbarao More	Cousin Grandfather
3	Sambhaji Malbarao More	Cousin Grandfather
4	Kalyan Bhaurao More	Cousin Grandfather
5	Digambar Bhaurao More	Cousin Grandfather
6	Pandurang Bhaurao More	Cousin Grandfather
7	Shrikant Bhanudas More	Cousin Uncle
8	Ashok Bhanudas More	Cousin Uncle
9	Kailas Uttamrao More	Cousin Uncle
10	Sudhakar Gunarao More	Cousin Uncle
11	Kalpana Gunarao More	Cousin Uncle
12	Bhaskar Shankarrao More	Cousin Grandfather
13	Prakash Vikasrao More	Cousin Grandfather
14	Shivraj Chimarao More	Cousin Uncle
15	Dilip Uttamrao More	Cousin Grandfather
16	Vitthalrao Chimarao More	Cousin Grandfather

Chart showing validity certificates granted by this Court

Sr. No	Name of blood relative/family member	Relation with petitioner	Writ Petition No.	Date of order
1	Shivani Jaywant More	Cousin Sister	7509/2018	24/07/2018
2	Shweta Jaywant More	Cousin Sister	127/2021	07/01/2021
3	Nagnath Vinayak More	Cousin Brother	26272/2020	11/01/2021
4	Virendra Gopalrao More	Cousin Brother	4577/2021	22/03/2021
5	Shrinath Shivshankar More	Cousin Brother	13757/2023	13/12/2023
6	Vaishnavi Shivshankar More	Cousin Sister	11188/2018	27/07/2023
7	Snehal Shivshankar More	Cousin Sister	9518/2013	03/08/2023
8	Aditya Gopalrao More	Cousin Brother	9668/2023	07/08/2023
9	Gopal Honbarao More	Cousin Uncle	5352/2021	07/08/2023
10	Amol Sureshrao More	Cousin Brother	5459/2021	07/08/2023

8. Respondent No.2 passed the impugned order and invalidated the tribe claim of the petitioner on the ground that the petitioner has failed to prove the affinity test. Admittedly, the validity/conditional validity holders are the blood relatives of the petitioner and the committee has not denied the same and the fact remains that till date respondent no.2 – Scrutiny Committee has not invalidated or revoked caste claim of the paternal blood relatives of the petitioner.

9. Since the blood relatives are having “Koli Mahadev” Scheduled Tribe validity Certificates, considering the parity, the Petitioner is also entitled to have “Koli Mahadev” Scheduled Tribe Validity Certificate. 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 Petitioner is entitled to have the certificate of validity.

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 candidate from open category and no equity shall lie in his favour.

11. Needless to say that respondent no.2 issued notices to the blood relatives of the petitioner who are holding the validity certificates for revocation of their validity certificates. However, they are not co-operating with the Scrutiny Committee.

12. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 14.07.2025 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 14.07.2025, passed by Respondent No.2 - Scrutiny Committee is hereby quashed and set aside.
- (iii) The blood relatives of the petitioner, to whom the notice for revocation of their 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.

(iv) Respondent No.2 Scrutiny Committee shall **immediately** issue “Koli Mahadev” 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 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) It will be just and proper to call upon the other validity holders who are served with the notices to furnish undertaking that they will co-operate while deciding their claim and shall appear before the Scrutiny Committee on 19.09.2025 and execute the undertaking.
- (d) The Petitioner shall not claim any equity.
- (e) The Petitioner shall cooperate with the Scrutiny Committee.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

Rushikesh/2025