



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

WRIT PETITION NO. 10762 OF 2025

1. PARTH DHANRAJ THAKUR
2. NUPOOR DHANRAJ THAKUR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. Sagar Phatale, Advocate h/f Mr. D. B. Shinde, Advocate for the
Petitioners

Mr. S. N. Kendre, 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 26.08.2025, passed by the Scrutiny Committee, invalidating “Thakur” Scheduled Tribe certificate of the Petitioner.

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

3. Heard both the sides at length.

4. As per the genealogical tree, Kalu Sadashiv Thakur had one son, namely, Ramkrushna Kalu Thakur. Narayan, Santosh, Julal, Prakash, Nana, Gulab and Shankar, are the sons of Ramkrushna. Dhanraj is the son of Narayan. Nupoor (Petitioner No.2) and Parth (Petitioner No.1) are the children of Dhanraj. Deepak, Chhaya and Sandip are the children of Shankar.

5. On face of record, it appears that vide order dated 13.03.2023, passed in Writ Petition No.2791 of 2023 (Dipak Shankar Thakur and another Vs. The State of Maharashtra and another), this Court has directed the Scrutiny Committee to issue conditional validity certificates in favour of the Petitioners therein, who are blood relatives of the present Petitioners.

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 the certificates of validity.

7. The Petitioners appears to be the aspiring students for the professional courses, therefore, they are called upon to furnish undertaking that, in case, their caste validity certificate is invalidated by the Scrutiny Committee, in that event, they shall pay the tuition fees and admission fees applicable to the candidates from open category and no equity shall lie in their favour. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 26.08.2025, passed by the 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 26.08.2025, passed by the Scrutiny Committee is hereby quashed and set aside.

(iii) The Scrutiny Committee shall **immediately** issue “Thakur” Scheduled Tribe validity certificates in favour of the Petitioners, which shall be subject to following conditions:-

- (a) The caste validity certificates 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 Petitioners shall furnish undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institutions with whom they will take admission for professional courses, indicating that in case their caste validity is revoked, they would 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 Writ Petition is disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRAGADE, J.]

[MANISH PITALE, J.]

SMS