



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10825 OF 2025

1. **Shankat Sambhaji Kaletwad** ... **Petitioners**

Age 24 years, Occu: Education
R/o Ambulga (bk) Tq. Mukhed
District Nanded

2. **Akshata Sambhaji Kaletwad,**
Age 28 years, Occu: Education
R/o Ambulga (bk) Tq. Mukhed
District Nanded

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai 32

2. The Scheduled Tribe Certificate Verification ... **Respondents**
Committee, Kinwat
Headquarter at Chhatrapati Sambhajnagar,
Through its Deputy Director (R)

Mr. Pratap V. Jadhavar, Advocate for the petitioner,
Mr. V. M. Kagne, AGP for the Respondents State

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

DATE : **4th September, 2025**

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

1. By the present petition under Article 226 of the Constitution of India, the Petitioners, who are siblings, take exception to the order

dated 02.09.2025 passed by Respondent No.2 Scrutiny Committee, thereby invalidating their "Mannervarlu" Schedule Tribe Certificates.

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

3. The petitioners are the students and they require validity for education purpose. The petitioners claim that they belong to Mannervarlu Schedule Tribe and they are intending to secure admission to professional course from the seat reserved for the Scheduled Tribe Category. Therefore, considering the urgency shown, the petition is taken up for disposal at the stage of admission.

4. Individual proposals of the petitioners were forwarded to Respondent No.2 Scrutiny Committee for validation of their tribe certificates. The petitioners have submitted various documents, including validity certificates of blood relatives, school entries etc. in support of their claims. However, by a common order dated 02.09.2025, the claims of the petitioners of belonging to "Mannervarlu" Scheduled Tribe are rejected by the Committee.

5. Having regard to the submissions canvassed on behalf of both the sides, we have gone through the record.

6. As per the genealogical tree, Budhaji alias Hanmantu Kaletwad, forefather of the petitioners had six sons namely Yalappa, Linga, Rama, sambhaji, Mashnaji(Motha) and Mashnaji (lahan). Sambhaji Budhaji Kaletwad, great grandfather of the petitioners had two sons namely, Ramji and Vitthal. Sheshrao and Sambhaji (father of Petitioner No.1) are the sons of Ramji Sambhaji Kaletwad. Samiksha Sambhaji Kaletwad (validity holder) is the real sister of Petitioner No.1 and cousin sister of Petitioner No.2. Sambhaji and Balaji (validity holder) are the sons of Vitthal Sambhaji Kaletwad. Datta Sambhaji Kaletwad (validity holder) is the real brother of petitioner No.2 and cousin brother of petitioner No.1.

7. On the face of record, it appears that on 7th May, 2005, the Respondent- Scrutiny Committee had granted validity certificate of belonging to "Mannervarlu" Scheduled tribe in favour of Sheshrao Ramji Kaletwad, real uncle of Petitioner No.1 and cousin uncle of petitioner No.2. On 17.08.2011, the Respondent Scrutiny Committee had granted validity certificate of belonging to "Mannervarlu" Scheduled tribe in favour of Samiksha Sambhaji Kaletwad, real sister of Petitioner No.1 and cousin sister of petitioner No.2. Further, on 12.02.2025, this court passed order in Writ Petition No.

2091 of 2025 and granted validity certificate of belonging to "Mannervarlu" Scheduled tribe in favour of Dattatraya Baliram Kaletwad, paternal blood relative of the petitioner from the branch of Linga. On 28th March, 2025, this Court passed order in Writ Petition No. 3459 of 2024 and granted validity certificate of belonging to "Mannervarlu" Scheduled tribe in favour of Pallavi Dattatraya Kaletwad, paternal blood relative of the petitioner from the branch of Linga.

8. Respondent No.2 passed the impugned order and invalidated the scheduled tribe claim of the petitioners on the grounds that the petitioner failed to prove the affinity and that the paternal blood relatives of the petitioners obtained validity certificates on the basis of false documents and concealment of original record and therefore, notice for revocation of validity certificates was issued to the paternal blood relatives of the petitioners. However, as on today, the validity certificates of Mannervarlu Scheduled Tribe issued in favour of blood relatives of the petitioners are still in operation. Admittedly, the validity holders are the paternal blood relatives of the petitioners and the committee has not denied the same.

9. In cases of *Mah. Adiwasi Mannervarlu Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors.*; AIR 2023 S.C. 1657, *Shweta Balaji Isankar V/s. 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], 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. Therefore, considering parity with the blood relatives of the petitioners, the petitioners are entitled to have conditional validity subject to outcome of the decision in the proceedings in respect of the blood relatives of the petitioners, which the committee has decided to reopen.

10. Learned counsel for the petitioners voluntarily submitted that blood relatives of the petitioners to whom the notice for revocation of validity has been served shall forthwith execute an undertaking before the Respondent No.2 Committee that they would regularly appear in the matter and shall cooperate with the Committee for early decision in the said matter.

11. The Petitioners appear to be the aspiring students for the professional courses. Therefore, they are called upon to furnish undertaking that, in case, their tribe certificates are 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.

12. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 02.09.2025 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) Impugned order dated on 02.09.2025, 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 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 admissions 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) Shri Balaji Vitthal Kaletwad, Samiksha Sambhaji Kaletwad and other paternal blood relatives of the Petitioners, who are served with notice of revocation of validity, shall furnish undertaking before the Scrutiny Committee, stating that they will cooperate and appear before the Scrutiny Committee as and when called upon.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

JPChavan