



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10831 OF 2025

1. Laxmi Shyamsundar Chappalwar ... **Petitioner**
Age 19 years, Occu: Student
R/o Deglur Tq. Deglur Dist. Nanded
2. Satyam Prashant Chappalwar,
Age minor, Occu: Education
U/G of father- Prashant Gangaram
Chappalwar, Age 46 years, Occu: Service
R/o As abvoe.

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 Sambhajinagar,
Through its Deputy Director (R)

Mr. P. V. Jadhavar, Advocate for the petitioner,
Ms. Neha Kamble, 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 blood relatives, 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. Schedule of admissions has started as NEET/CET result is declared. 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, Hanmantu Chappalwar, forefather of the petitioner has four sons namely, Dajakji (Motha), Dakaji(Lahan), Mashnaji and Narsanna. Masnaji has four children, namely, Padmin, Balram (validity holder), Santosh(validity holder), Shyamsundar(validity holder & father of petitioner No.1 Laxmi). In another branch of genealogy, Dakaji (Motha) has three sons namely Suresh, Gangaram and Ramesh. Sachin (validity holder) is the son of Suresh Dakaji (motha). Prashant (father of the petitioner No.2-Satyam) is the son of Gangaram Dakaji (motha).

7. On face of record, it appears that on 02.05.2006, the Respondent- Scrutiny Committee had granted validity certificate of belonging to "Mannervarlu" Scheduled tribe in favour of Shyamsundar Mashnaji Chappalwar (father of petitioner no.1 and cousin grandfather of the petitioner no.2). On 18.08.2010, the Respondent- Scrutiny Committee had granted validity certificate of belonging to "Mannervarlu" Scheduled tribe in favour of Shantosh Mashnaji Chappalwar (real uncle of petitioner no.1 and cousin grandfather of the petitioner no.2). On 02.05.2006, the Respondent- Scrutiny Committee had granted validity certificate of belonging to "Mannervarlu" Scheduled tribe in favour of Prashant Ganganram Chappalwar(father of petitioner No.2 and cousin

brother of the petitioner no.1). Further, on 20.11.2020, this Court passed order in Writ Petition St. No 21355 of 2020 and directed the Committee to issue conditional validity of belonging to "Mannervarlu" Scheduled tribe in favour of Shaswat Shyamsundar Chappalwar, brother of petitioner No.1 and cousin uncle of Petitioner No.2.

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. 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 blood relatives of the petitioners, including father and the committee has not denied the same.

9. In cases of *Mah. Adiwasi Thakur 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 may decide to reopen.

10. 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.

11. 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.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

JPChavan