



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10822 OF 2025

1. **Krishna Satish Thakur** ... **Petitioners**
Age 19 years, Occu: Education

2. **Yash Satish Thakur,**
Age 17 years, Occu: Education
Through Natural Guardian i.e. father-
Satish Ganpatrao Thakur
Age 45 Years, Occu: Driver
Both r/o Near Gajanan Nagar,
Vikram Nagar, Latur.

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 Member Secretary

Mr. Sagar S. Phatale, Advocate for the petitioner,
Mr. S. K. Tambe, AGP for the Respondents State

CORAM : **MANISH PITALE &**
Y. G. KHOBRAGADE, 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 "Thakur" 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 Thakur 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 "Thakur" 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, Pandharinath Thakur, great grandfather of the petitioners had six sons children namely Ambadas, Shivaji, Ganpat, Bhagwat, Sarubai and Yamunabai. Satish (father of the petitioners), Dattatraya and Rekha are the children of Ganpat. Ashok, Kishore (validity holder) is the son of Shivaji. Rajabhau (validity holder) is the son of Ambadas Pandharinath. On the face of record, it appears that on 24.12.2005, the Respondent-Scrutiny Committee had granted validity certificate of belonging to "Thakur" Scheduled tribe in favour of Rajabhau Ambadas Thakur, cousin uncle of the petitioners. On 19.06.2004, the Respondent-Scrutiny Committee had granted validity certificate of belonging to "Thakur" Scheduled tribe in favour of Kishore Shivaji Jadhav, cousin uncle of the petitioners. On 12.02.2024, the Respondent-Scrutiny Committee had granted validity certificate of belonging to "Thakur" Scheduled tribe in favour of Anand Ashok Jadhav, cousin brother of the petitioners

7. 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 Thakur 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.

8. 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 has decided to reopen.

9. 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.

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 “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 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) S/Shri Rajabhau Ambadas Thakur, Kishore Shivajirao Jadhav 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. KHOBRAGADE, J.)

(MANISH PITALE, J.)