



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

WRIT PETITION NO.10848 OF 2025

**SHRADDHA GANGADHAR MANGALWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. Sunil M. Vibhute, Advocate for the Petitioner
Mr. S. K. Tambe, Addl. G.P for the Respondents – State

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**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 04.09.2025

ORDER (PER- Y. G. KHOBRAGADE, J.) :-

1. The challenge in the present Petition is to the order dated 02.09.2025, passed by Respondent No.2 Scrutiny Committee, invalidating “Mannervarlu” Scheduled Tribe certificate of the Petitioner.

2. Issue notice to the Respondents. The learned AGP waives notice on behalf of both the Respondents.

3. The Petitioner is the aspiring student to secure admission to the professional course reserved for the Scheduled Tribe category. Therefore, considering the extreme urgency, the Petition is taken up for disposal at the stage of admission.

4. Heard both the sides at length.

5. As per the genealogical tree, Gangaram Mangalwad is the son of Sambhaji Mangalwad. Sambhaji, Datta, Girjabai, Anusayabai and Chandrakala are the children of Gangaram. Gangadhar, Pandurang, Meera, Dnyaneshwar, Anuradha and Yogesh are the children of Sambhaji. Shraddha (Petitioner) and Shivam are the children of Gangadhar.

6. On face of record, it appears that on 14.06.2006, the Scrutiny Committee has granted validity certificate of belonging to “Mannervarlu” scheduled tribe in favour of Gangadhar Sambhaji Mangalwad, the father of the Petitioner. The Respondent No.2 Scrutiny Committee, passed the impugned order and invalidated the scheduled tribe claim of the Petitioner on the ground that paternal blood relatives of the Petitioner, have obtained validity certificates on the basis of false and fabricated documents and concealment of original record and therefore, the validity holders were served with notices for revocation of their validities. However, it is not in dispute that the Respondent No.2 Scrutiny Committee has not invalidated or revoked the said validities in favour of the paternal blood relatives of the Petitioner.

7. Since the paternal blood relatives of the Petitioner are having “Mannervarlu” Scheduled Tribe validity certificates, considering the parity, the Petitioner is also entitled to have “Mannervarlu” Scheduled Tribe validity certificates. However, such validity shall be subject to outcome of the decision in the proceeding in respect of blood relatives of the Petitioner, which the Respondent No.2 decided to re-open.

8. 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.

9. The learned counsel appearing for the Petitioner submitted that the Scrutiny Committee has issued notice of

revocation of validity certificates issued to the blood relatives of the Petitioner. It is submitted that the said blood relatives of the Petitioner are voluntarily ready and willing to execute undertakings before the Respondent No.2 Scrutiny Committee, that they will cooperate in the decision regarding revocation of their validities. In these circumstances, it would be just and proper to direct **Gangadhar Sambhaji Mangalwad, father of the Petitioner,** to file separate undertaking before Respondent No.2 Scrutiny Committee, stating that he will cooperate with the said Committee in respect of the tribe proceedings.

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 caste validity certificate is invalidated by the Scrutiny Committee, in that event, he shall pay the tuition fees and admission fees applicable to the candidates from open category and no equity shall lie in his favour. 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) The impugned order dated 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 Petitioner, 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 his blood relatives proposed by the Scrutiny Committee.
 - (b) The Petitioner shall furnish an 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) The Petitioner shall not claim any equity.
 - (d) The Petitioner shall cooperate with the Scrutiny Committee.
- (iv) **Gangadhar Sambhaji Mangalwad, father of the Petitioner,** shall furnish undertaking, immediately before Respondent No.2 Scrutiny Committee, stating that he will cooperate and appear before the Scrutiny Committee as and when called upon.

(v) The Writ Petition is disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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