



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

WRIT PETITION NO.10847 OF 2025

**SANDESH RAMRAO AMBHORE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

....
Mr. Sunil M. Vibhute, Advocate for the Petitioner
Mr. R. K. Ingole, AGP for the Respondents – State
....

**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 03.09.2025, passed by the Scrutiny Committee, invalidating “Thakur” Scheduled Tribe certificate of the Petitioner.

2. The Petitioner is intending to secure admission to the professional course 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. We have perused the genealogical tree placed on record at page 31. On face of record, it appears that, on

08.12.2005, the Scrutiny Committee granted validity certificate of belonging to “Thakur” Scheduled Tribe in favour of Bhagwan Namdeo Ambhore, the paternal blood relative of the Petitioner.

5. 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.

6. 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 03.09.2025, 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 03.09.2025, passed by the Scrutiny Committee is hereby quashed and set aside.
- (iii) The Scrutiny Committee shall **immediately** issue “Thakur” Scheduled Tribe validity certificate 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) The Writ Petition is disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRAGADE, J.]

[MANISH PITALE, J.]