



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10843 OF 2025

Girish s/o Balaji Mandalekar, ... **Petitioner**
Age 17 years, Occu: Student
Through natural guardian i.e. father-
Age 43 years, Occu: Agri
R/o Karkheli Tq. Dharmabad
District Nanded

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribal Development Department,
Mantralaya, Mumbai 32
2. Scheduled Tribe Certificate Verification ... **Respondents**
Committee, Kinwat,
Headquarter at Chhatrapati Sambhajanagar,
Through its Deputy Director of Research
and Member Secretary

Mr. C. R. Thorat, Advocate for the petitioner,
Mr. R. K. Ingole, AGP for the Respondents State

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

DATE : **4th September, 2025**

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

1. The challenge in the present Petition is to the order dated
3rd September, 2025, passed by Respondent No.2 Scrutiny

Committee in Case No. 09/511/Edu/032025/124625, invalidating “Mannervarlu” Scheduled Tribe claim of the Petitioner.

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

3. The petitioner is a student and requires validity for education purpose. The petitioner claims that he belongs to Mannervarlu Schedule Tribe and he is intending to secure admission to professional course from the seat reserved for the Scheduled Tribe Category. Schedule of admissions has started as CET result is declared. Therefore, considering the urgency shown, the petition is taken up for disposal at the stage of admission.

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

5. As per genealogical tree, Narsing(Narsingu) Mandale, forefather of the petitioner had two sons namely, Sayanna and Laxman. Gangadhar is the son of Sayanna. Gangadhar has six children namely Pushpalata, Nagmani, Sainath, Gangamani, Balaji and Govind (validity holder). Petitioner is the son of Balaji Gangadhar Mandale. Shravani (validity holder) is the daughter of Sainath Gangadhar Mandale. In another branch of genealogy,

Anusaya, Meera, Narayan (validity holder), Ranjana and Ganesh are the children of Gangadhar Laxman Mandale. Shresh (validity holder) is the son of Narayan Gangadhar Mandalekar.

6. On face of record, it appears that on 12.11.2010, the Scrutiny Committee had granted validity certificate of belonging to Mannervarlu Schedule Tribe in favour of Govind Gangadhar Mandalekar, real uncle of the petitioner. On 11.01.2008, the Scrutiny Committee had granted validity certificate of belonging to Mannervarlu Schedule Tribe in favour of Narayan Gangadhar Mandale, cousin uncle of the petitioner. Further, on 31.07.2023, this court passed order in Writ Petition No. 9204 of 2023 and directed the committee to issue conditional validity of belonging to Mannervarlu Scheduled Tribe in favour of Shravani d/o Sainath Mandalekar, cousin sister of the petitioner. On 12.08.2024, this court passed order in Writ Petition No. 8333 of 2024 and directed the committee to issue conditional validity of belonging to Mannervarlu Scheduled Tribe in favour of Shreyash Narayan Mandale, cousin brother of the petitioner.

7. Respondent No.2 passed the impugned order and invalidated the scheduled tribe claim of the petitioner on the grounds the petitioner has failed to prove the affinity test and that the

paternal blood relatives of the petitioner obtained validity certificates on the basis of false documents and concealment of original record and therefore, notice for revocation of their validity certificates was issued. However, as on today, the validity certificates of "Mannervarlu" Scheduled Tribe issued in favour of blood relatives, including real uncle of the petitioner, are still in operation. Admittedly, the validity holders are the blood relatives of the petitioner 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 petitioner, the petitioner is entitled to have conditional validity subject to outcome of the decision in the proceedings in respect of the blood relatives of the petitioner, which the committee has decided to reopen.

9. Learned counsel for the petitioner voluntarily submitted that blood relatives of the petitioner to whom the notice for revocation of validity has been served shall 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 Petitioner appears to be the aspiring student for the professional course. Therefore, he is called upon to furnish undertaking that, in case, his tribe 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.

11. In view of above discussion, the present Petition deserves to be allowed partly and the impugned order dated 3rd September, 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 3rd September, 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 certificate in favour of the Petitioner, which shall be subject to following conditions:-

- (a) The caste validity certificate shall be subject to the outcome of the re-verification of the validity certificates of the his blood relatives, if any, proposed by the Scrutiny Committee.
- (b) The Petitioner shall furnish 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.
- v) Ms. Shravani Sainath Mandalekar and other blood relatives of the Petitioner, to whom the notice for revocation of validity has been served, shall immediately 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.)