

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

WRIT PETITION NO. 10918 OF 2025

1. VEDANT RAMDAS SURYAWAD
2. PRATHAMESH BALAJI SURYAWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND ANOTHER

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Advocate for the Petitioners : Mr. Bolkar Yogesh B.

AGP for Respondents : Mr. P.K. Lakhotiya

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**CORAM : R. G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.**

DATE : 08.09.2025

PER COURT :

. The petitioners claim to have belonged to "Mannervarlu" scheduled tribe. Their tribe certificates were subjected to verification. Respondent no. 2 - Scrutiny Committee vide order dated 04.09.2025, refused to grant the validity certificates. The petitioners are, therefore, before us.

2. Learned Advocate for the petitioners would submit that the blood relations of the petitioners have been granted validity certificates vide order passed by this Court in Writ Petition No. 9060/2012, conditionally. According to him, the entire record that was before the Scrutiny committee was very much there before this Court, which decided the said Writ Petition. As such, the case of the petitioners is similar to that of those petitioners who have been granted the validity certificates. He, therefore, urged for grant of validity certificates on the ground of parity.

3. Learned AGP would on the other hand submit that the Scrutiny Committee which issued validity certificate was comprised of Late Shri V.S. Patil. This Court in number of Writ Petitions has observed that the Committee headed by Late Shri V.S. Patil, had indulged in issuing forged and fabricated validity certificates. The observations made by this Court would come in the way of the petitioners herein to secure validity certificates. He would further submit that the petitioners herein and their relations, who relies on the validity certificates, had in fact suppressed from the Committee the fact that their relations namely Govind Sambhaji Surewad and Kiran Dhondiba Surewad, have not been granted validity certificates. The decisions therein were passed way back in the year 1996 and 2002, respectively. Respondent no. 2 - Scrutiny Committee has, therefore, rightly turned down the claim of the petitioners and more so, when the school record consistently indicates the petitioners and their forefathers to have belonged to caste ' Mannurvar' which comes in the category of Other Backward Class (OBC). He, therefore, urged for dismissal of Writ Petition.

4. We have considered the submissions advanced. Perused the documents relied on. It is true in some of the proceedings granting validity certificates, Late Shri V.S. Patil, was heading the said Committee. It is also not in dispute that this Court had an occasion to consider the certificate granted by the Committee headed by Late Shri V.S. Patil. The Scrutiny Committee in this case has reproduced the observations made by this Court in one of such Writ Petitions. Those observations read as follows :

“13. The learned AGP further submits that the Committee headed by the Chairperson Shri V.S. Patil (who is no more), had gained notoriety by keeping draft orders

in a cyclostyled manner, ready for pronouncement, in hundreds of cases. Such cyclostyled draft orders with blank spaces were used by the said Committee while granting validity certificates to hundreds of candidates. The blank spaces were filled in by hand writings and sometimes, as like in the case of the Petitioner's father, several blank spaces were kept blank and the orders were pronounced. There was no change in the reasoning of the committee. He drew our attention to the order passed in favour of the Petitioner's father which is a cyclostyled order, which does not indicate any reference to the serious interpolation caused in the school record. Based on such order, the vigilance cell in the case of the Petitioner recorded a finding that the Petitioner has passed the affinity test in the light of his father's statement dated 29.03.2017.

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32. *The judgment in the case of the Petitioner's father Laxman, is identical to hundreds of judgments delivered by the V.S. Patil Committee with regard to "Koli Mahadev". There is not a single sentence referring to the serious interpolation which changed the description of Laxman's social status from "Koli" to "Koli Mahadev". This creates a world of a difference because the social status of the Petitioner changes from "Koli", Special Backward Class (SBC) to "Koli Mahadev", Scheduled Tribe category. Since a cyclostyled order was pulled out to be used in Laxman's case, there is not even a whisper to the interpolation, in the said order. In these circumstances,*

this Court cannot blindly accept the said order and the validity in favour of Laxman so as to be relied upon for granting a validity certificate to the present Petitioner. If this is so done, we are of the view that this would cause travesty of justice.”

5. Rutuja cousin of the petitioners, Rajnandini the real sister of petitioner no. 1 and Atharv cousin of the petitioners, have been granted validity certificates vide orders passed by this Court on 03.09.2024, 18.07.2019, respectively. The very material was before the Division Bench, which decided those Writ Petitions. It is true that the record indicates that the petitioners and their forefathers were shown in the school record to have belonged to 'Mannurvar' OBC category. Moreover, those validity holders appears to have suppressed the fact that Govind and Kiran have not been granted validity certificate. The fact, however, remains that close relations of the present petitioners have been granted conditional validity certificates in the aforesaid two writ petitions. It's not a case of obvious fraud. The validity holders are not before us to address the objections raised by learned APP. The only course, therefore, available for us is to grant the petitioners conditional validity certificates.

6. In view of the above, the Writ Petition partly succeeds in terms of the following order :

ORDER

- i. Writ Petition is partly allowed.
- ii. The order impugned herein is set aside.
- iii. Respondent no. 2 - Scrutiny Committee is directed

to issue the petitioners validity certificates indicating them to have belonged to 'Mannervarlu' scheduled tribe.

iv. The validity certificates to be issued in favour of the petitioners shall be co-terminus with the validity certificates issued in favour of Rajnandini, Atharv and Rutuja and those whose cases have now been reopened and on whose validity certificates the petitioners have relied on.

(ABASAHEB D. SHINDE, J.)

(R. G. AVACHAT, J.)

spc/