



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11848 OF 2024

- 1) Shravan Balaji Kanthewad
- 2) Vedant Maroti Kanthewad

..PETITIONERS

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....

Mr. O.B. Boinwad, Advocate for petitioners

Mr. A.R. Kale, Addl.G.P. for respondent nos.1 and 2

....

CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : 09th JULY, 2025

PER COURT :

1. Heard finally at admission stage by the consent of learned counsel for both the sides.

2. The petitioners are the students. They are real cousins. They claimed to be belonged to Mannervarlu Scheduled Tribe. Their caste certificates were referred to Respondent No.2 – scrutiny committee, who by impugned order dated 11th October, 2024 invalidated their claim. Hence, this petition under Article 226 of the Constitution of India.

3. Learned counsel for the petitioner submits that there is no dispute in respect of genealogy. He submits that Respondent No.2 – scrutiny committee has issued the Tribe Validity Certificate to the fathers of both the

petitioners. It was the same committee. He further submits that real sister of Petitioner No.1 - Shravan had filed Writ Petition No. 14131 of 2021 against the order passed by Respondent No.2 – scrutiny committee invalidating her claim towards Mannervarlu Scheduled Tribe came to be allowed. He submits that the sister of Petitioner No.2 – Vedant had approached this Court by filing Writ Petition No. 1531 of 2020 against invalidation of her tribe claim towards Mannervarlu Scheduled Tribe by Respondent No.2 – scrutiny committee and the said petition came to be allowed. He submits that in the backdrop of this undisputed factual aspect, present petition be allowed and Respondent No.2 – scrutiny committee be directed to issue validity certificate to the petitioner for Mannervarlu Scheduled Tribe.

4. Learned Addl.G.P. for the respondents does not dispute the factual aspect of the matter i.e. the fathers of both the petitioners are holding the validity certificate for Mannervarlu Scheduled Tribe and this Court, by allowing the aforementioned writ petitions, had directed Respondent No.2 – scrutiny committee to issue validity certificates to the sisters of the petitioners belonging to Mannervarlu Scheduled Tribe.

5. We have perused the papers on record. The genealogy at pg.no.87 of the petition, which was also before Respondent No.2 – scrutiny committee, is not in dispute. At pg.no.61, there is copy of the validity certificate of father of Petitioner No.1 and at pg.no.90 of father of Petitioner No.2. The copies of

orders in the above referred writ petitions show that this Court had considered the aspect of the fathers of the petitioners holding validity certificates towards Mannervarlu Scheduled Tribe. It is observed in the order dated 11th July, 2023 passed in Writ Petition No.14131 of 2021 that the validity certificate is issued to the father of the said petitioner i.e. Sidhi after following due procedure of law. In order dated 09th August, 2023 passed in Writ Petition Nos. 14097 of 2021 and 7631 of 2021 which was filed by the sister (Riddhi) and the distant cousin (Mahesh) of Petitioner No.1, it is mentioned that there are several validity holders in the family i.e. three sons of Ganpati viz. Pandharinath, Balaji and Maroti.

6. In view of this undisputed factual matrix of the matter, we proceed to pass the following order :-

ORDER

- (I) Writ Petition is partly allowed.
- (II) Respondent No.2 – scrutiny committee shall issue a tribe validity certificate to the Petitioners as belonging to Mannervarlu Scheduled Tribe.
- (III) The validity to the Petitioners shall be subject to the final outcome of the validity certificates of the family members of the Petitioners, which the Committee has decided to reopen.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

SSD