



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

WRIT PETITION NO.13250 OF 2025

1. Pranav Balaji Chitale,
Age 21 years, Occu. Education.
2. Saurabh Balaji Chitale,
Age 24 years, Occu. Education
3. Nishant Anil Chitale
Age 26 years, Occu. Education
4. Ashish Anil Chitale
Age 24 years, Occu. Education, ...Petitioners

Versus

1. The State of Maharashtra
 2. The Scheduled Tribe Certificate Scrutiny
Committee, Kinvat,
Head Quarter, Aurangabad
Through its Deputy Director.(R) ...Respondents
- ...
- Mr. Pratap V. Jadhavar, Advocate for the petitioner
 - Mr. P. K. Lakhotiya, AGP for Respondent/State
- ...

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

DATED : NOVEMBER 10, 2025

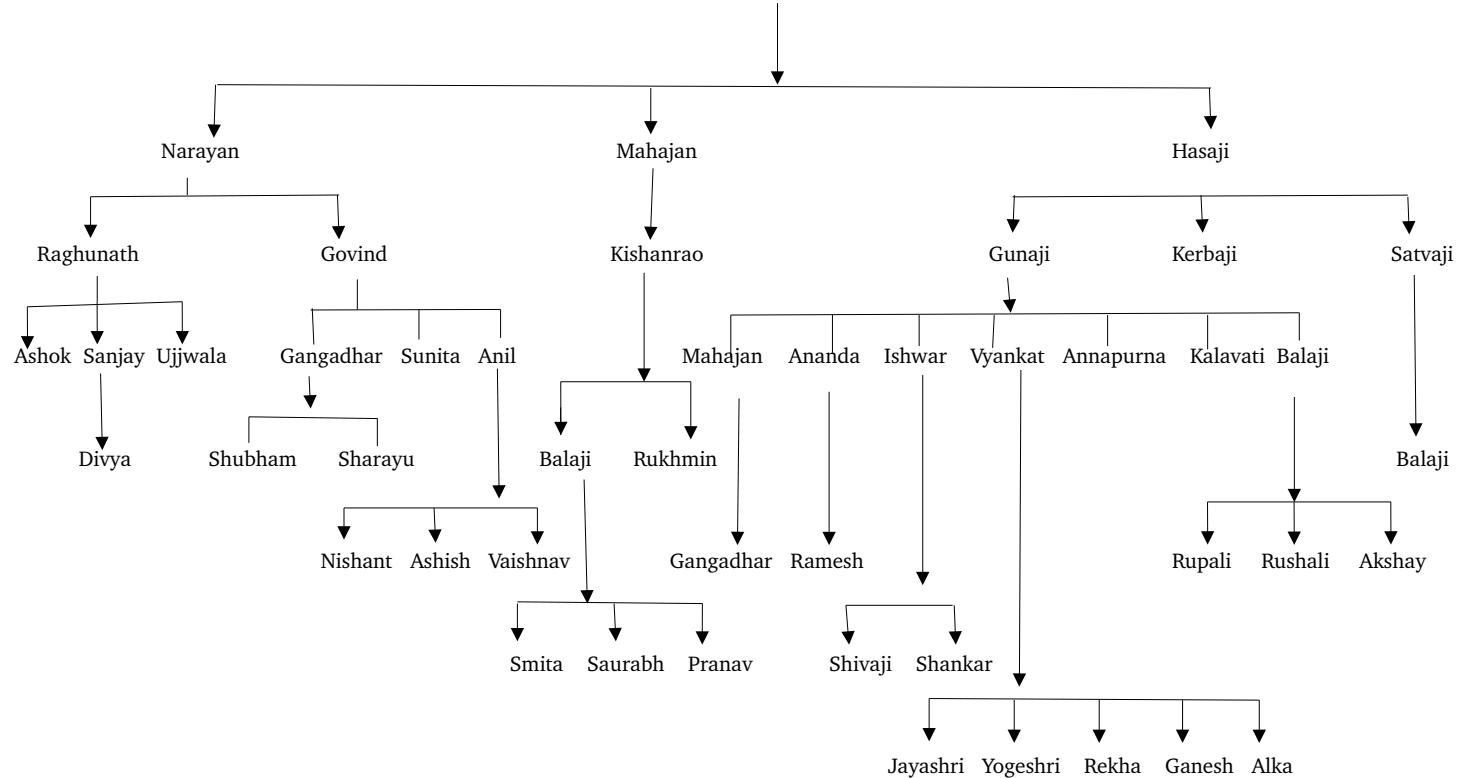
ORDER (Per Abasaheb D. Shinde J.):

1. Rule. Rule made returnable forthwith. With the consent of parties taken up for hearing at the stage of admission.
2. By this Writ Petition, the Petitioners are taking exception to the common order dated 17.10.2025 passed by Respondent No.2- Scheduled Tribe Certificate Scrutiny Committee, Kinvat, Head Quarter Aurangabad (hereinafter referred to as '**Respondent No.2-Caste**

Scrutiny Committee') by which the Respondent No.2-Caste Scrutiny Committee has invalidated the claim of the Petitioners as belonging to 'Mannervarlu', Scheduled Tribe. The Petitioner Nos.1 and 2 are real brothers, likewise, Petitioner Nos.3 and 4 are real brothers too. Petitioner Nos.1 and 2 as well as Petitioner Nos. 3 and 4 are distant cousin brothers and blood relatives from paternal side. To substantiate that the petitioners are blood relatives from paternal side it would be apt to reproduce the genealogical tree as below:-

Geneology

Piraji Sambhaji Chitale



FACTUAL MATRIX :

3. The father of the Petitioner Nos. 1 and 2, namely, Balaji Genuji Chitale (hereinafter called as “**Balaji**”) was granted Caste Validity Certificate by the Caste Scrutiny Committee on 16.08.2008. However, Respondent No.2-Caste Scrutiny Committee issued a show cause notice to said Balaji on 05.02.2019 thereby calling upon him to show cause as to why the said caste validity certificate issued to him on 16.08.2008 should not be cancelled. Along with said Balaji other validity holders who are blood relatives from paternal side, were also served with similar show cause notices by Respondent No.2-Caste Scrutiny Committee. Balaji along with those blood relatives approached this Court by filing Writ Petitions challenging the said show cause notices bearing Writ Petition No.2552 of 2019, Writ Petition No.1943 of 2018, Writ Petition No.2549 of 2019, Writ Petition No.2550 of 2019, Writ Petition No.2551 of 2019, Writ Petition No.2723 of 2019 and Writ Petition No.2724 of 2019. In the meanwhile, the caste certificates issued in favour of children of said Balaji, namely, Rushali and Akshay were subjected to verification and on the basis of show cause notice issued to Balaji, the Respondent No.2-Caste Scrutiny Committee by an order dated 19.10.2011 invalidated their caste claim. Being aggrieved, Rushali and Akshay challenged the said order dated 19.10.2011 passed by Respondent No.2-Caste Scrutiny Committee by filing Writ Petition

No.12924 of 2018 and Writ Petition No.13257 of 2018 before this Court.

4. So far as the Writ Petitions filed by Balaji and other validity holders are concerned, this Court by a detailed judgment and order dated 08.09.2022 set aside the respective show cause notices issued by Respondent No.2-Caste Scrutiny Committee to Balaji and those validity holders and allowed the Writ Petitions holding that there is no element of fraud noticed while the caste validity certificates were issued in their favour. In short this Court upheld the caste validity certificates issued in favour of Balaji and other validity holders. Based upon said judgment and order dated 08.09.2022 passed by this Court, the Writ Petitions filed by children of Balaji, namely, Rushali and Akshay were allowed by this Court vide common order dated 03.10.2022 thereby granting them caste validity certificates. It is pertinent to note that being a distant blood relative of Balaji and his children, the real brother of Petitioner Nos.3 and 4, namely, Vaishnav Anil Chitale has been granted validity certificate by respondent-committee on 09.08.2023.

5. Since the Petitioners wanted to seek admission to the provisional courses, the caste certificates of the Petitioners of belonging to 'Mannervarlu', Scheduled Tribe were subjected to verification before Respondent No.2-Caste Scrutiny Committee. However, Respondent

No.2-Caste Scrutiny Committee by impugned common order dated 17.10.2025 invalidated their caste claim of belonging to 'Mannervarlu' Scheduled Tribe.

SUBMISSIONS :

6. We have heard the learned Counsel for the Petitioners as well as learned AGP for Respondent No.1-State and Respondent No.2-Caste Scrutiny Committee. We have also perused the Record.

7. The learned Counsel for the Petitioners submit that the impugned order depicts non-application of mind as despite Petitioners having pointed out the caste validity certificates issued in favour of the petitioner's blood relatives from paternal side, both by Respondent No.2-Committee itself as well as by this Court, the said Caste Validity Certificates have been discarded by Respondent No.2-Caste Scrutiny Committee. It is further contended that though Respondent No.2-Caste Scrutiny Committee has not disputed the relationship of the Petitioners with those validity holders, Respondent No.2-Caste Scrutiny Committee failed to consider those caste validity certificates. The learned Counsel for the Petitioner therefore urged that since Respondent No.2-Caste Scrutiny Committee erred in not considering this vital aspect, the Writ Petition deserves to be allowed by setting aside the impugned order.

8. Per contra, the learned AGP though made a faint attempt to oppose the Writ Petition and justify the impugned order by relying upon certain contra entries, however, he does not dispute the relationship of the Petitioners with those validity holders from paternal side.

CONSIDERATION :-

9. It is pertinent to note that though under Section 8 of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jats), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and verification of) Caste Certificate Act, 2000 the burden of proving that a person belonging to a Caste, Tribe or Class is upon such person who claims to belonging to a particular Caste, Tribe or Class, however, Rule 2(1)(f) of the Maharashtra Scheduled Tribes (Regulation of Issuance and Verification) Certificate Rules, 2005, defines '*relative*' to mean a blood relative from the paternal side of the claimant.

10. Once the Petitioners have relied upon the caste validity certificates of their blood relatives from paternal side, and when the entire genealogy has been placed on record before Respondent No.2- Caste Scrutiny Committee to substantiate the relationship of the

petitioners with the earlier validity holders moreover, when Respondent No.2-Caste Scrutiny Committee has not disputed the relationship of the Petitioners with the validity holders from paternal side, in our considered view, the impugned order passed by Respondent No.2-Caste Scrutiny Committee thereby ignoring the caste validity certificates relied by the Petitioners is unsustainable.

11. It is settled position of law in view of judgment of this Court in the case of *Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and Ors.* reported in *2010 (6) MhLj 401*, that once the blood relatives from paternal side have been granted caste validity certificates and those are relied upon by the claimant, the Caste Scrutiny Committee cannot ignore the said validity certificates and based upon the same the claimant is entitled for issuance of caste validity certificate. The Hon'ble Apex Court recently in the case of *Maharashtra Adiwasli Thakur Jamat Swarakshan Samiti V. The State of Maharashtra and Others* reported in *(2023) 16 SCC 415* has held that once the blood relatives from paternal side possesses the caste validity certificates after following the due procedure of law and if those are relied upon by the claimant before the Caste Scrutiny Committee, the caste scrutiny committee shall issue caste validity certificate on the basis of those caste validity certificates even if the claimant does not

satisfy the affinity test.

12. As observed hereinabove the Caste Validity Certificates issued in favour of Balaji and other blood relatives of the Petitioners have already been upheld by this Court and based upon those the distant cousin brothers of the petitioners have also been granted caste validity certificates demonstrates that the petitioners were justified in relying on the same.

CONCLUSION :-

13. It is true that in Writ Petition under Article 226 of the Constitution of India the scope for interference in the order passed by Respondent No.2-Caste Scrutiny Committee is limited in as much as it is only if it is found that the order passed by Respondent No.2-Caste Scrutiny Committee suffers from perversity, arbitrariness and found to be unreasonable. However, if the decision of Respondent No.2-Caste Scrutiny Committee is found to be manifestly perverse arbitrary and depicts non-application of mind, this Court can certainly interfere to prevent the miscarriage of justice.

14. Since we are of the considered view that the impugned order passed by the Caste Scrutiny Committee is perverse, unreasonable, depicts non-application of mind and also contrary to the law laid down

by this Court in the case of ***Apoorva d/o Vinay Nichale*** as well as the law laid down by the Hon'ble Apex Court in the case of ***Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti (Supra)***, the same is liable to be quashed and set aside. Hence, we pass the following order :-

:: ORDER ::

- A) The Writ Petition is allowed.
- B) The impugned order dated 17.10.2025 passed by the Respondent No.2/Caste Scrutiny Committee invalidating the Caste Claims of the Petitioners as belonging to 'Mannerarlu', Scheduled Tribe is hereby quashed and set-aside.
- C) The Respondent No.2/Caste Scrutiny Committee is directed to issue to the Petitioners caste validity certificates of belonging of 'Mannervarlu' Scheduled Tribe.
- D) Since, the Petitioners are supposed to submit the caste validity certificates by 05:00 pm today before their respective colleges and as the Law Officers of Respondent No.2/Scrutiny Committee viz. Mr. Vinod Pandit and Mr. Ajay Avdhute are present before the Court, we request the Law Officers to communicate this order to the Respondent No.2/Scrutiny Committee.
- E) Rule is made absolute in above terms.

[ABASAHEB D. SHINDE, J.]

[R. G. AVACHAT, J.]