



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 1872 OF 2025

with

WRIT PETITION NO. 7375 OF 2023

.....

WRIT PETITION NO. 1872 OF 2025

PETITIONER

: Nishant Madhavrao Sherkule,
Age 17 years (Minor), Occu. Student,
aspirant to B.E., Natural Guardian father
Madhaorao Ganpatrao Sherkule,
Flat No. 202, Heritez Plaza, Behind Petrol
Pump, Pipri, Dist. Wardha – 442 001,

VERSUS

RESPONDENT

: The Scheduled Tribe Certificate Scrutiny
Committee, Nagpur.
through its Member Secretary.
Gipeth, Nagpur 440 010.

With

WRIT PETITION NO. 7375 OF 2023

PETITIONER

: Ku. Madhura Madhavrao Sherkule,
Aged about 18 years, Occu. Student,
B.E. 1st Year.
Flat No. 202, Heritez Plaza, Behind Petrol
Pump, Pipri, Dist. Wardha – 442 001,

VERSUS

RESPONDENTS

: 1] Scheduled Tribe Certificate Scrutiny
Committee, Nagpur.
through its Member Secretary.
Gipeth, Nagpur 440 010.

2] Vishvakarma Institute of Informational
Technology, through its Principal,
Survey No. 3/4, Kondhava (Budruk),
Pune – 411 048

3] State Common Entrance Test Cell,
Maharashtra State,
through its Commissioner, 8th Floor,
New Excelsior Building,
A. K. Nayak Marg, Fort,
Mumbai – 400 001.

4] Savitribai Phule Pune University,
through its Registrar,
Ganeshkhind Road, Ganeshkhind,
Pune – 411 007.

Mr. S. P. Joshi, Advocate for the petitioners
Mr. J. Y. Ghurde, A.G.P. for respondent no.1-Scrutiny Committee
Mr. N. A. Gaikwad, Advocate for Resp. No.3 in W.P. No. 7375/23

CORAM : SMT. M. S. JAWALKAR and
M. W. CHANDWANI, JJ.
DATE : DECEMBER 22, 2025.

ORAL JUDGMENT : (Per M.W.Chandwani, J.)

1. **RULE.** Rule made returnable forthwith.

2. The petitioners in both these writ petitions are siblings and their caste claims have been invalidated by the respondent no.1 by different impugned orders but the reasons recorded are the same. Therefore, these petitions are being disposed of analogously.

3. By these petitions, the petitioners challenge the orders dated 12.02.2025 and 25.09.2023 passed by the respondent no.1 –

Scheduled Tribe Certificate Scrutiny Committee, Nagpur (hereinafter referred to as “the Committee”), thereby invalidating the caste claims of the petitioners that they belong to “Mana” (Scheduled Tribe).

4. The petitioners are students and they claim to be belonging to “Mana” (Scheduled Tribe). They obtained Caste Certificates from the competent authority. In order to claim the benefits available to Scheduled Tribes, they applied for validation of their caste claims and filed various documents before the Committee including the Validity Certificates granted to the blood relatives i.e. father, real uncles and aunts. However, the caste claims of the petitioners have been invalidated by doubting the oldest documents.

5. The documents supplied by the petitioners and found in the vigilance enquiry are as under :

Sr. No .	Type of document	Name	Relation with the applicant	Caste mentioned	Date of evidence	Remarks
1.	Birth entry extract, Village Dhanora, Tq. Hinganghat, Dist. Wardha	Male child Ganpat born to Warlya S/o Dinba Mana	Suspicious	Mana	20.09.1946	Submitted by applicant
2.	S.L.C., Z.P. Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Ganpat Warlu Shelkule	Grand-father	Mana	(Dt.of adm.) 26.04.1955 (dt. of birth) 29.02.1947	Submitted by applicant.

3.	Service record	Ganpat Warluji Sherkule	Grand-father	Race - Hindu Mana	Dt. of birth 29.02.1947 Dt. of appointment 31.01.1970	Found in vigilance enquiry
4.	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Champat Warlu Serkure	Cousin grand-father	Mana	02.07.1962	Found in vigilance enquiry
5.	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Shobha Wasudeo Selkure	From genealogy	Mani (Hindu)	05.05.1973	Found in vigilance enquiry
6.	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Kalawati Mahadeo Shelkure	Cousin aunt	Mani	01.07.1975	Found in vigilance enquiry
7.	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Deorao Wasudeo Selkure	From genealogy	Mani / Mana	01.07.1975	Found in vigilance enquiry
8.	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Sarla Mahadeo Selkure	Cousin aunt	Mana	02.07.1979	Found in vigilance enquiry
9.	Parent declaration. Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Someshwar Wasudeo Selkure	From genealogy	Mani	02.05.1968	Found in vigilance enquiry
10	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Someshwar Wasudeo Selkure	From genealogy	Mani/ Mana	02.05.1968	Found in vigilance enquiry
11	Service record, (Panchayat Samiti,	Madhav Ganpatrao Sherkule	Father	Mana (S.B.C.)	--	Found in vigilance enquiry

	Samudrapur, Dist. Wardha)					
--	------------------------------	--	--	--	--	--

6. The document dated 20.09.1946 at sr.no.1 above, supplied by the petitioners is the birth entry extract of a son namely Ganpat born to the great-grandfather of the petitioner namely Warlya S/o Dinba Mana. The said document is discarded by the Committee on the ground that the birth entry record does not match with the birth date of the grandfather namely Ganpat. Further, the documents at sr.nos.2 and 3 above, related to the school and service record of the grandfather of the petitioner showing the caste as “Mana” have not been considered by the Committee on the ground that the reservation category is not mentioned. Rather, the Committee relied on the contra entry in the documents of the year 1973, 1975 and 1968 found in the vigilance enquiry.

7. We have heard Mr. S.P. Joshi, learned counsel for the petitioners and Mr. J. Y. Ghurde, learned A.G.P. for the respondent no.1 – Committee and Mr. N.A. Gaikwad, learned counsel appearing for respondent no.3 in W.P. No. 7375/2023. We have gone through the impugned order as well as the record of the Committee.

8. The oldest document dated 20.09.1946 shows that the great-grandfather of the petitioner namely Warlya Dinba Mana had a son namely Ganpat wherein, the caste shown is “Mana”. This document has been discarded only on the ground that in the school record the birth date of the grandfather of the petitioner is shown as 29.02.1947 instead of 20.09.1946 as recorded in the birth entry extract. Therefore, the Committee doubted this document. We remind and it is a matter of common parlance that in the earlier days, children were not admitted in schools until they attain a particular age and therefore, in those days people used to show their child older than the actual age for securing admission. Perhaps, that may be the reason for entering the date of birth of Ganpat as 20.02.1947 in the school record.

9. That apart, we find that the document dated 26.04.1955, which is a school record of the grandfather of the petitioners namely Ganpat and the document dated 31.01.1970 pertaining to his service record show the caste as “Mana”. So also, the document dated 02.07.1962 which is an extract of school admission register of cousin grandfather of the petitioners namely Champat found in the vigilance enquiry shows the caste as “Mana”. However, the Committee relied

on the documents of the years 1973, 1975 and 1968, which show the contra entry in respect of their caste as “Mani” and accordingly, invalidated the caste claim of the petitioners. The contra entry is reproduced here :-

Sr. No .	Type of document	Name	Relation with the applicant	Caste mentioned	Date of evidence	Remarks
5.	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Shobha Wasudeo Selkure	From genealogy	Mani (Hindu)	05.05.1973	Found in vigilance enquiry
6.	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Kalawati Mahadeo Shelkure	Cousin aunt	Mani	01.07.1975	Found in vigilance enquiry
7.	School adm. reg. extract, Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Deorao Wasudeo Selkure	From genealogy	Mani / Mana	01.07.1975	Found in vigilance enquiry
9.	Parent declaration. Higher Pri. School, Dhanora, Tq. Hinganghat, Dist. Wardha	Someshwar Wasudeo Selkure	From genealogy	Mani	02.05.1968	Found in vigilance enquiry

10. In the genealogy tree of the petitioner, except the document at sr.no.6, we do not find the name of the persons in whose name the document showing the caste as “Mani”. Be that as it may, the fact remains that the oldest documents dated 20.09.1946 and 26.04.1955 are erroneously ignored by the Committee. Even if we

take the contra entries as relied upon by the Committee, we find that the oldest documents of the years 1946 and 1955 which show the caste as “Mana” have more probative value. That apart, there are atleast five members in the family of the petitioners including their father to whom validities have been granted by the Committee. Apart from the father of the petitioners, the paternal aunts namely Shamla and Shital and paternal uncles Lokesh and Yogesh have also been granted the validities but the Committee ignored the validities granted to them, more particularly the validity granted to the father and invalidated the caste claims of the petitioners.

11. We also find that the reasons given by the Committee are erroneous with regard to the SBC Certificate granted to the father of the petitioner. It is a matter of record that earlier, “Mana” was shown as SBC. Lateron, in wake of the decision in the case of *State of Maharashtra vs. Mana Adim Jamat Mandal*, reported at *(2006) 4 SCC 98*, “Mana” was treated as Scheduled Tribe. Therefore, the reason of acquiring SBC Certificate by the father of the petitioners also cannot be a ground for invalidation of the caste claim of the petitioners. Therefore, we are of the opinion that the impugned orders passed by the Committee are required to be set aside.

12. In view of the above, the writ petitions are allowed.

(i) The impugned order dated 12.02.2025 in W.P. No. 1872/25 and the impugned order dated 25.09.2023 in W.P. No. 7375/23 passed by respondent no.1 – The Scheduled Tribe Caste Certificate Scrutiny Committee, Yavatmal in Case Nos. JC/TCSC/NGP/I/293/32/2024 and JC/TCSC/NGP/I/641/32/2022, respectively, are quashed and set aside.

(ii) It is declared that the petitioners belong to “Mana” (Scheduled Tribe).

(iii) The respondent no.1 – Scheduled Tribe Certificate Scrutiny Committee, Nagpur is directed to issue Validity Certificates in favour of the petitioners, within two months from the date of receipt of this order.

13. Rule is made absolute in the aforesaid terms. The writ petitions stand disposed of. No order as to costs.

(M.W.CHANDWANI, J.)

(SMT. M.S.JAWALKAR, J.)

Diwale