



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

WRIT PETITION NO 3037 OF 2025

Balaji S/o Hanmanlu Karhade,
Age : 37 Years, Occ. Service,
R/o. Narangal, Taluka Degloor,
Dist. Nanded.

...PETITIONER

V E R S U S

1. The State of Maharashtra
Tribe Development Department
Through its Secretary,
Mantralaya, Mumbai.
2. Scheduled Tribe Certificate
Scrutiny Committee, Kinwat
Office at Aurangabad
through its Member Secretary.
3. Shri. Swami Vivekanand Shikshan
Sanstha, Kolhapur
Through its Secretary,
2130, 'E' Ward, Tarabai Park, Kolhapur
4. Ramkrishna Parmhans College,
Dharashiv,
Through its Principal

..RESPONDENTS

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Advocate for the Petitioner : Mr. Sagar S. Phatale
A.P.P. for Respondent/State : Mr. N. B. Patil

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**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

DATED : FEBRUARY 17, 2026

JUDGMENT (PER ABASAHEB D. SHINDE, J):-

1. Heard.
2. Rule. Rule made returnable forthwith. With the consent

of the parties, matter is disposed of at the stage of admission.

3. By this Writ Petition, the petitioner is taking an exception to the order dated 20.02.2025 passed by respondent No.2/ Scrutiny Committee, by which the tribe claim of the petitioner of belonging to “Mannervarlu” Scheduled Tribe has been invalidated.

4. The learned counsel for the petitioner submits that, the petitioner, to substantiate his tribe claim, has relied on various validity certificates issued in favour of his blood relatives by the Scrutiny Committee itself. However, the said validity certificates were discarded by the respondent No.2/Scrutiny Committee. He would further submit that, in addition to these validity certificates, his blood relative namely Ajay Sayanna Karhade, whose tribe claim was invalidated by the Scrutiny Committee, had approached this Court by filing Writ Petition No. 9830 of 2023, wherein this Court, by order dated 09.08.2023, has granted conditional validity to him. He therefore submits that, the respondent/Scrutiny Committee has committed an error by discarding all these validities.

5. Per contra, the learned A.G.P. submits that, besides there being several contra entries, the petitioner is not able to substantiate his relationship with those validity holders, as the

genealogy annexed by the petitioner depicts that the branch from which the petitioner claims to be belonging to is altogether different, which does not match with the genealogy submitted, by the validity holders while submitting the proposals for verification of their tribe claims before the Scrutiny Committee.

6. Be that as it may, we find that though the petitioner has relied on a genealogy, wherein several validity holders are finding place, however, we find that, considering the earlier genealogy submitted by the validity holders, while submitting their tribe claim, the branch of the petitioner is not at all shown. We find that, unless the petitioner establish his relationship with the said validity holders, the petitioner cannot derive benefits of their validity certificates.

7. In that view of the matter, we deem it appropriate to remand the matter back to the respondent/ Scrutiny Committee, so as to ascertain the relationship of the petitioner with the validity holders on which the petitioner is placing reliance. In that view of the matter, we pass the following order.

ORDER

- (i) The Writ Petition is partly allowed.
- (ii) The impugned order dated 20.02.2025 passed by respondent No.2/Scrutiny Committee is hereby quashed and set aside. Matter is remanded back to the Scrutiny Committee.
- (iii) Respondent No.2/ Scrutiny Committee is directed to decide the tribe claim of the petitioner afresh, by giving sufficient opportunity to the petitioner to establish his relationship with the validity holders from whom the petitioner seeks to derive benefit.
- (iv) If required, the respondent No.2/ Scrutiny Committee may also conduct fresh Vigilance Cell Enquiry so as to ascertain the relationship of the petitioner with those validity holders.
- (v) Considering the fact that the tribe claim is of the year 2024, we direct the respondent No.2/ Scrutiny Committee to decide the tribe claim of the petitioner as expeditiously as possible and preferably within a period of ten months from today.

8. With these directions, the Writ Petition stands disposed of.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE

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