



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

WRIT PETITION NO. 3266 OF 2026

Gopal S/o Bhagwan Padale
Age: 32 years, Occ: Service.
R/o, Undangaon, Tq. Sillod
Dist. Chatrapati Sambhaji Nagar..

...Petitioner

VERSUS

1. The State of Maharashtra
Tribal Development Department
Through its Secretary,
Mantralaya, Mumbai-400 001.
2. Scheduled Tribe Certificate Scrutiny Committee,
Chhatrapati Sambhaji Nagar,
Through its Member Secretary.
3. Executive Engineer, (Transmission) Division,
Maharashtra State Electricity Transmission Company Ltd.,
Chatrapati Sambhaji Nagar,
Tq. & Dist. Chatrapati Sambhaji Nagar. **...Respondents**

Advocate for Petitioner : Mr. Sagar S. Phatale h/f. Mr. Yogesh R. Suradkar
AGP for Respondent/State : Mr. S.P. Sonpawale
Advocate for Respondent No.3: Mr. Anil M. Gaikwad

**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.
DATE : 28.04.2026**

FINAL ORDER : (*PER : ABASAHEB D. SHINDE, J.*)

. Rule.

2. Rule is made returnable forthwith. With the consent of the parties, the matter is taken up for final hearing at the stage of admission.

3. By this Writ Petition under Article 226 of the Constitution of India, the petitioner is taking an exception to the judgment and order dated 26.02.2026 passed by the respondent No.2/Scheduled Tribe Certificate Scrutiny Committee, Chhatrapati Sambhajinagar, by which the respondent No.2/Scrutiny Committee has invalidated the tribe claim of the petitioner of belonging to 'Koli Malhar' Scheduled Tribe.

4. Learned counsel for the petitioner submits that the petitioner has received tribe certificate from the competent authority on 03.04.2018 of belonging to 'Koli Malhar' Scheduled Tribe. He would submit that the said tribe certificate was referred for verification to the respondent No.2/Scrutiny Committee. While referring the said tribe certificate for its verification, the petitioner has submitted voluminous record in support of his tribe claim including the oldest documents of the year 1937-38 in the nature of mortgage deed and the validity certificate issued by the Scrutiny Committee to his cousin uncle viz. Shravan Sandu Padale as well as the conditional validities granted to other cousins viz. Pavan Pundlik Padale, Sakshi Pundlik Padale and Sagar Ramdas Padale by this Court vide order dated 03.09.2025 in Writ Petition No.10764 of 2025 of

belonging to 'Koli Malhar' Scheduled Tribe. He would further submit that despite having submitted several documents on record showing that the petitioner belongs to 'Koli Malhar' Scheduled Tribe, the Scrutiny Committee without considering the said documents has invalidated the tribe claim of the petitioner. He would further submit that the respondent No.2/Scrutiny Committee erred in holding that the petitioner has failed to substantiate his relationship with the so called said validity holders and therefore, urged that the Writ Petition be allowed by setting aside the impugned order and the petitioner may be issued tribe validity certificate of belonging to 'Koli Malhar' Scheduled Tribe.

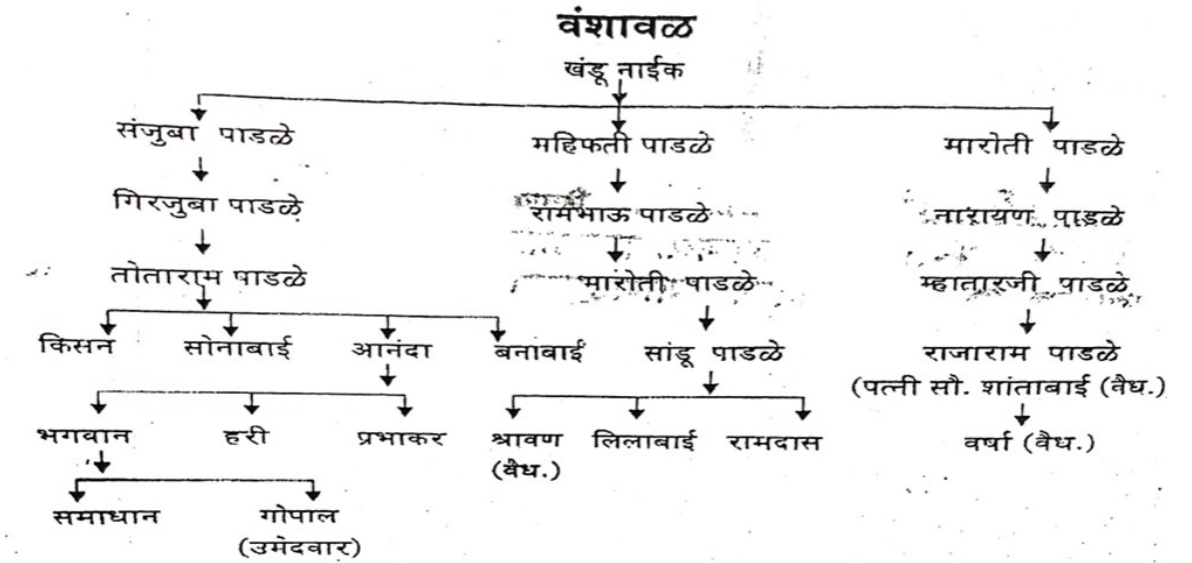
5. *Per contra*, the learned AGP would submit that as far as the so called document in the nature of mortgage deed of the year 1937-38 relied upon by the petitioner is concerned, the same is an 'Urdu' document, which the petitioner himself got it translated. However, the original document has not been produced before the Scrutiny Committee which raises a doubt about the genuineness of the said document. He therefore, submit that the said document has been rightly discarded by the Scrutiny Committee since, neither the said document is registered document nor the authenticity of the said document can be ascertained. The learned AGP has further submitted that so far as the validity certificates on which the petitioner seeks to rely in respect of Shravan Sandu Padale, Varsha Rajaram Padale as well as the conditional validities granted to other cousins viz. Pavan Pundlik Padale, Sakshi Pundlik Padale and Sagar Ramdas Padale are concerned, those validity certificates

cannot be relied upon as the petitioner has failed to establish his relationship with them. Though, the petitioner has relied on the genealogy, however the record shows that none of those validity holders are blood relatives of the petitioner.

6. To substantiate that the said validity holders viz. Shravan Sandu Padale, Varsha Rajaram Padale as well as the Pavan Pundlik Padale, Sakshi Pundlik Padale and Sagar Ramdas Padale are not blood relatives of the petitioner, he has produced original record pertaining to tribe verification of those validity holders wherein, the genealogies submitted by them alongiwth their tribe claims do not show the branch of petitioner's forefathers. On the contrary, the genealogies submitted by those validity holders alongwith their tribe verification are altogether different which would be considered in the later part of this judgment. The learned AGP further, submits that the petitioner did not produce any oldest document in support of his tribe claim. On the contrary, there are several contra entries pointed out by vigilance cell inquiry showing the caste of petitioner as 'Koli' and not 'Koli Malhar'. He therefore, urge that the Writ Petition is devoid of any substance and same deserves to be dismissed.

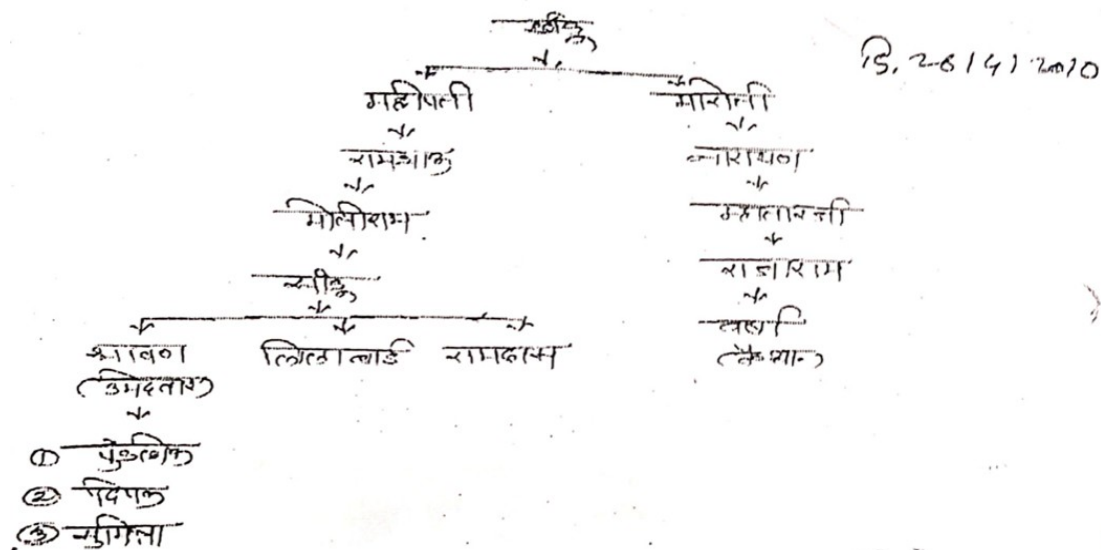
7. We have heard learned counsel for the petitioner and the learned AGP for the respondent No.2/Scrutiny Committee as well as State and have also perused the original record including the record pertaining to validity holders viz. Shravan Sandu Padale,

Varsha Rajaram Padale, Pavan Pundlik Padale and others submitted during verification of their tribe claims. Admittedly, the petitioner has submitted the genealogy before the respondent No.2/Scrutiny Committee which reads thus :

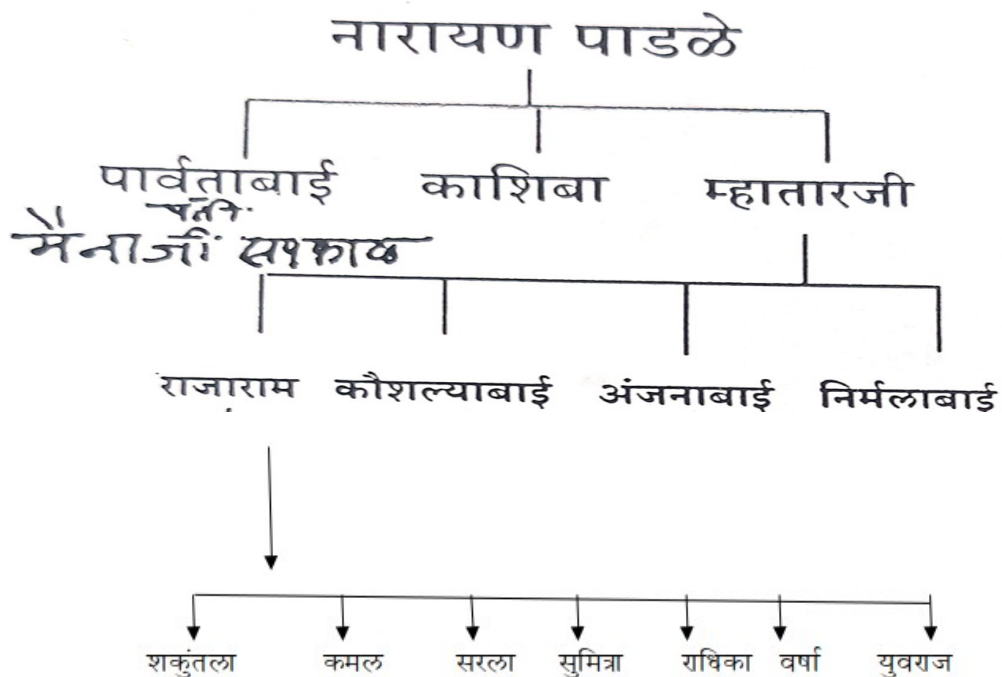


. By relying on the above genealogy, the petitioner submits that the said validity holders Shravan Sandu Padale, Varsha Rajaram Padale, Pavan Pundlik Padale and others are his blood relatives.

8. The original record pertaining to the tribe claim submitted by one of the validity holders viz. Shravan Sandu Padale depicts that, the genealogy produced by him is as follows :



9. Similarly, while submitting the tribe claim, another validity holder namely Varsha Rajaram Padale has relied on the following genealogy which reads thus :



10. Likewise, while submitting the tribe claims of other validity

```

graph TD
    P[पंडू पादळे] --> M[महिपती पादळे]
    P --> Ma[मारोती पादळे]
    M --> G[गिरजाबा]
    M --> R[रामभाऊ]
    G --> T[तोताराम]
    R --> M1[मोतीराम]
    M1 --> S[सांडू]
    S --> S1[संपत]
    S --> A[आवण]
    S --> L[लिनाबाई]
    S --> R1[रामदास]
    A --> S2["(वै. धा.) सुमित्रा पुंडलिक दिपक"]
    L --> S2
    R1 --> A1[अन्नाना]
    R1 --> S3[संदीप सागर]
    S2 --> S4["(वै. धा.) सारंगी पद्म"]
    A1 --> S4
    S4 --> S5["(अर्जदार) (अर्जदार)"]
    S3 --> S5
    S5 --> S6["(अर्जदार) (अर्जदार)"]
    Ma --> N[नारायण]
    N --> M2[मृतारजी]
    N --> S7[सतीया]
    M2 --> R2[राजाराम]
    M2 --> B[भंजनाबाई]
    M2 --> K[कौशल्या]
    M2 --> N1[निर्मला]
    R2 --> S8[शकुंतला]
    R2 --> K1[कमल सरला]
    R2 --> S9[सुमित्रा राधिका]
    R2 --> V[वर्षा]
    R2 --> S10[सुवराज]
    S8 --> S11["(वै. धा.) (वै. धा.) रोहित फांचन"]
    S9 --> S11
    S10 --> S11
    S11 --> S12["(वै. धा.) (वै. धा.)"]
    S12 --> S13["(वै. धा.) (वै. धा.)"]
    S13 --> S14["(वै. धा.) (वै. धा.)"]
    S14 --> S15["(वै. धा.) (वै. धा.)"]
    S15 --> S16["(वै. धा.) (वै. धा.)"]
    S16 --> S17["(वै. धा.) (वै. धा.)"]
    S17 --> S18["(वै. धा.) (वै. धा.)"]
    S18 --> S19["(वै. धा.) (वै. धा.)"]
    S19 --> S20["(वै. धा.) (वै. धा.)"]
    S20 --> S21["(वै. धा.) (वै. धा.)"]
    S21 --> S22["(वै. धा.) (वै. धा.)"]
    S22 --> S23["(वै. धा.) (वै. धा.)"]
    S23 --> S24["(वै. धा.) (वै. धा.)"]
    S24 --> S25["(वै. धा.) (वै. धा.)"]
    S25 --> S26["(वै. धा.) (वै. धा.)"]
    S26 --> S27["(वै. धा.) (वै. धा.)"]
    S27 --> S28["(वै. धा.) (वै. धा.)"]
    S28 --> S29["(वै. धा.) (वै. धा.)"]
    S29 --> S30["(वै. धा.) (वै. धा.)"]
    S30 --> S31["(वै. धा.) (वै. धा.)"]
    S31 --> S32["(वै. धा.) (वै. धा.)"]
    S32 --> S33["(वै. धा.) (वै. धा.)"]
    S33 --> S34["(वै. धा.) (वै. धा.)"]
    S34 --> S35["(वै. धा.) (वै. धा.)"]
    S35 --> S36["(वै. धा.) (वै. धा.)"]
    S36 --> S37["(वै. धा.) (वै. धा.)"]
    S37 --> S38["(वै. धा.) (वै. धा.)"]
    S38 --> S39["(वै. धा.) (वै. धा.)"]
    S39 --> S40["(वै. धा.) (वै. धा.)"]
    S40 --> S41["(वै. धा.) (वै. धा.)"]
    S41 --> S42["(वै. धा.) (वै. धा.)"]
    S42 --> S43["(वै. धा.) (वै. धा.)"]
    S43 --> S44["(वै. धा.) (वै. धा.)"]
    S44 --> S45["(वै. धा.) (वै. धा.)"]
    S45 --> S46["(वै. धा.) (वै. धा.)"]
    S46 --> S47["(वै. धा.) (वै. धा.)"]
    S47 --> S48["(वै. धा.) (वै. धा.)"]
    S48 --> S49["(वै. धा.) (वै. धा.)"]
    S49 --> S50["(वै. धा.) (वै. धा.)"]
    S50 --> S51["(वै. धा.) (वै. धा.)"]
    S51 --> S52["(वै. धा.) (वै. धा.)"]
    S52 --> S53["(वै. धा.) (वै. धा.)"]
    S53 --> S54["(वै. धा.) (वै. धा.)"]
    S54 --> S55["(वै. धा.) (वै. धा.)"]
    S55 --> S56["(वै. धा.) (वै. धा.)"]
    S56 --> S57["(वै. धा.) (वै. धा.)"]
    S57 --> S58["(वै. धा.) (वै. धा.)"]
    S58 --> S59["(वै. धा.) (वै. धा.)"]
    S59 --> S60["(वै. धा.) (वै. धा.)"]
    S60 --> S61["(वै. धा.) (वै. धा.)"]
    S61 --> S62["(वै. धा.) (वै. धा.)"]
    S62 --> S63["(वै. धा.) (वै. धा.)"]
    S63 --> S64["(वै. धा.) (वै. धा.)"]
    S64 --> S65["(वै. धा.) (वै. धा.)"]
    S65 --> S66["(वै. धा.) (वै. धा.)"]
    S66 --> S67["(वै. धा.) (वै. धा.)"]
    S67 --> S68["(वै. धा.) (वै. धा.)"]
    S68 --> S69["(वै. धा.) (वै. धा.)"]
    S69 --> S70["(वै. धा.) (वै. धा.)"]
    S70 --> S71["(वै. धा.) (वै. धा.)"]
    S71 --> S72["(वै. धा.) (वै. धा.)"]
    S72 --> S73["(वै. धा.) (वै. धा.)"]
    S73 --> S74["(वै. धा.) (वै. धा.)"]
    S74 --> S75["(वै. धा.) (वै. धा.)"]
    S75 --> S76["(वै. धा.) (वै. धा.)"]
    S76 --> S77["(वै. धा.) (वै. धा.)"]
    S77 --> S78["(वै. धा.) (वै. धा.)"]
    S78 --> S79["(वै. धा.) (वै. धा.)"]
    S79 --> S80["(वै. धा.) (वै. धा.)"]
    S80 --> S81["(वै. धा.) (वै. धा.)"]
    S81 --> S82["(वै. धा.) (वै. धा.)"]
    S82 --> S83["(वै. धा.) (वै. धा.)"]
    S83 --> S84["(वै. धा.) (वै. धा.)"]
    S84 --> S85["(वै. धा.) (वै. धा.)"]
    S85 --> S86["(वै. धा.) (वै. धा.)"]
    S86 --> S87["(वै. धा.) (वै. धा.)"]
    S87 --> S88["(वै. धा.) (वै. धा.)"]
    S88 --> S89["(वै. धा.) (वै. धा.)"]
    S89 --> S90["(वै. धा.) (वै. धा.)"]
    S90 --> S91["(वै. धा.) (वै. धा.)"]
    S91 --> S92["(वै. धा.) (वै. धा.)"]
    S92 --> S93["(वै. धा.) (वै. धा.)"]
    S93 --> S94["(वै. धा.) (वै. धा.)"]
    S94 --> S95["(वै. धा.) (वै. धा.)"]
    S95 --> S96["(वै. धा.) (वै. धा.)"]
    S96 --> S97["(वै. धा.) (वै. धा.)"]
    S97 --> S98["(वै. धा.) (वै. धा.)"]
    S98 --> S99["(वै. धा.) (वै. धा.)"]
    S99 --> S100["(वै. धा.) (वै. धा.)"]
    S100 --> S101["(वै. धा.) (वै. धा.)"]
    S101 --> S102["(वै. धा.) (वै. धा.)"]
    S102 --> S103["(वै. धा.) (वै. धा.)"]
    S103 --> S104["(वै. धा.) (वै. धा.)"]
    S104 --> S105["(वै. धा.) (वै. धा.)"]
    S105 --> S106["(वै. धा.) (वै. धा.)"]
    S106 --> S107["(वै. धा.) (वै. धा.)"]
    S107 --> S108["(वै. धा.) (वै. धा.)"]
    S108 --> S109["(वै. धा.) (वै. धा.)"]
    S109 --> S110["(वै. धा.) (वै. धा.)"]
    S110 --> S111["(वै. धा.) (वै. धा.)"]
    S111 --> S112["(वै. धा.) (वै. धा.)"]
    S112 --> S113["(वै. धा.) (वै. धा.)"]
    S113 --> S114["(वै. धा.) (वै. धा.)"]
    S114 --> S115["(वै. धा.) (वै. धा.)"]
    S115 --> S116["(वै. धा.) (वै. धा.)"]
    S116 --> S117["(वै. धा.) (वै. धा.)"]
    S117 --> S118["(वै. धा.) (वै. धा.)"]
    S118 --> S119["(वै. धा.) (वै. धा.)"]
    S119 --> S120["(वै. धा.) (वै. धा.)"]
    S120 --> S121["(वै. धा.) (वै. धा.)"]
    S121 --> S122["(वै. धा.) (वै. धा.)"]
    S122 --> S123["(वै. धा.) (वै. धा.)"]
    S123 --> S124["(वै. धा.) (वै. धा.)"]
    S124 --> S125["(वै. धा.) (वै. धा.)"]
    S125 --> S126["(वै. धा.) (वै. धा.)"]
    S126 --> S127["(वै. धा.) (वै. धा.)"]
    S127 --> S128["(वै. धा.) (वै. धा.)"]
    S128 --> S129["(वै. धा.) (वै. धा.)"]
    S129 --> S130["(वै. धा.) (वै. धा.)"]
    S130 --> S131["(वै. धा.) (वै. धा.)"]
    S131 --> S132["(वै. धा.) (वै. धा.)"]
    S132 --> S133["(वै. धा.) (वै. धा.)"]
    S133 --> S134["(वै. धा.) (वै.
```

12. It is also pertinent to note that the statement of the petitioner's father was recorded during vigilance cell enquiry on 18.01.2024 wherein, he has unequivocally stated that his great

great grandfather viz. Sanjuba, great grandfather viz. Totaram were not having any real brother or real sister nor they have any cousin sister or cousin brother meaning thereby the branch of Mahipati and Maruti has been inserted by the petitioner in his genealogy only to derive the benefit of the validities granted from their branch. We therefore, are of the view that the petitioner has utterly failed to establish his relationship with the said validity holders.

13. No doubt the Hon'ble Apex Court in the case of ***Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. The State of Maharashtra and Ors.*** reported in **2023 (16) SCC 415** has held that the claimant is entitled for validity certificate on the basis of validity certificate issued in favour of his blood relatives by the Scrutiny Committee, however, the Hon'ble Apex Court in that regard has observed in paragraph No.22 which reads thus :

"22. We can also contemplate one more scenario which is found in many cases. These are the cases where the applicant relies upon caste validity certificates issued to his blood relatives. Obviously, such a validity certificate has to be issued either by the Scrutiny Committee constituted in terms of the directions issued in **Kumari Madhuri Patil's** case (1994) 6 SCC 241 or constituted under the Rules framed under the 2000 Act. In such a case, firstly, the Scrutiny Committee must ascertain whether the certificate is genuine. Secondly, the Scrutiny Committee will have to decide whether the applicant has established that the person to whom the validity certificate relied upon by him has been issued is his blood relative. For that purpose, the applicant must establish his precise and exact relationship with the person to whom the validity certificate has been granted. (Emphasis Supplied). Moreover, an enquiry will have to be made by the Scrutiny Committee whether the validity certificate has been granted to the blood relative of the

applicant by the concerned Scrutiny Committee after holding due enquiry and following due procedure. Therefore, if the Scrutiny Committee has issued a validity certificate contemplated in terms of the decision in the case of **Kumari Madhuri Patil** (1994) 6 SCC 241, the examination will be whether the enquiry contemplated by the said decision has been held. If the certificate relied upon is issued after coming into force of the 2000 Act, the Scrutiny Committee will have to ascertain whether the concerned Scrutiny Committee had followed the procedure laid down therein as well as in the ST Rules or the SC Rules, as the case may be. For this verification, the Scrutiny Committee can exercise powers conferred on it by Section 9(d) by requisitioning the record of the concerned Caste Scrutiny Committee, which has issued the validity certificate to the blood relative of the applicant. If the record has been destroyed, the Scrutiny Committee can ascertain whether a due enquiry has been held on the basis of the decision of the Caste Scrutiny Committee by which caste validity has been granted to the blood relative of the applicant. If it is established that the validity certificate has been granted without holding a proper inquiry or without recording reasons, obviously, the caste scrutiny committee cannot validate the caste certificate only on the basis of such validity certificate of the blood relative."

14. The aforesaid observations of the Hon'ble Apex Court clearly goes to show that when the tribe claim is sought to be based on the validity certificate issued in favour of blood relative of the claimant, in that case the Scrutiny Committee must ascertain whether the said validity certificate is genuine and more importantly the Scrutiny Committee will have to decide, Whether, the claimant has established that the person whose validity certificate is relied upon by him is his/her blood relative. The Hon'ble Apex Court further observed that the claimant must establish his precise and exact relationship with the person to whom the validity certificate has been granted.

15. In the light of above, we are of the view that, though the

claimant can derive benefit of validity of his blood relative, however, establishing the relationship with the validity holder being his blood relative is a *sine qua non*. In the instant case the material considered by the respondent No.2/Scrutiny Committee and which has been placed before us for our perusal shows that, the petitioner has utterly failed to establish his relationship with the validity holder and therefore, he is not entitled for issuance of tribe validity certificate relying on the said validity certificates.

16. Insofar as the document purported to be the mortgage deed of 1937-38 is concerned, the Scrutiny Committee has found that the said document is suspicious and the petitioner has failed to prove the same. We have perused the said document and we find that the same does not inspire confidence. The Scrutiny Committee has rightly dealt with the aspect with regard to the authenticity of the said document and has discarded the same. We are, therefore, of the view that the so called document on which the petitioner has placed reliance, is of no avail to the petitioner.

17. Having regard to the aforesaid fact, the respondent No.2/Scrutiny Committee after assessing the entire material placed before it including oldest documents vis-a-vis contra entries in respect of his blood relatives of belonging to 'Koli' caste instead of 'Koli Malhar' has arrived at a conclusion that the petitioner is not entitled for issuance of validity certificate of belonging to 'Koli Malhar' Scheduled Tribe.

18. Section 8 of 'The Act of 2000' casts burden on the claimant to prove his caste/tribe claim which is required to be decided based on a preponderance of probabilities and on the strength of documentary evidence and if required by way of affinity test. In the case in hand, the petitioner has failed to prove his tribe claim by adducing sufficient documents. Though, Section 7 (2) of the Act of 2000 provides that the order passed by the Scrutiny Committee under the Act of 2000 shall be final and can only be challenged before this Court under Article 226 of the Constitution of India, we however, find that the order passed by the Scrutiny Committee is based on appreciation of record and by giving cogent reasons, we therefore, do not find any perversity warranting interference of this Court under Article 226 of the Constitution of India.

19. The Writ Petition therefore, *sans* merit and deserves to be dismissed. Hence, we pass the following order :

ORDER

- i) The Writ Petition is dismissed with no order as to costs.
- ii) Rule stands discharged.

(**ABASAHEB D. SHINDE, J.)** (**SANDIPKUMAR C. MORE , J.)**

V.S.Joshi