

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.144 OF 2024

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Mrunali Mangesh Chavan,

Age : 28 Years, Occupation : Education,
Residing at : Flat No.2, Gangasagar Building,
Flat No.2, Near Bandhkaam Bhavan,
Trimbak Road, Nashik.

...Petitioner

Versus

1. **The State of Maharashtra**

Through its Principal Secretary,
Tribal Development Department,
Mantralaya, Mumbai.

2. **The Scheduled Tribe Caste Certificate
Scrutiny Committee, Nashik Division,
Nashik.**

3. **The Principal,
Matoshree Asarabai Polytechnic,
Eklahare, Nashik.**

...Respondents

Mr.Ratan Ladhe i/b. Mr.Mayur A. Jadhav, Advocate for Petitioner.
Ms.Kavita N. Solunke, Addl.G.P. a/w Smt.D.S.Deshmukh, AGP for
Respondent Nos.1 and 2 – State.

CORAM : M.S.KARNIK &
S. M. MODAK, JJ.

DATE : 14th JANUARY 2026

ORDER : (PER : S.M.MODAK, J.)

1. Heard learned Advocate for the Petitioner and learned Addl.G.P.
for the Respondent Nos.1 and 2.

2. The Petitioner claims that she belongs to “*Koli Mahadev*” Scheduled Tribe. The Sub-Divisional Officer–Nashik has issued Tribe Certificate in her favour. She got admission in the Respondent No.3–College. However, when the Certificate was sent for verification, the Respondent No.2–Committee repudiated the claim as per the order dated 22nd August 2018. It is challenged by way of this Petition.

3. During pendency of the Petition, this Court granted liberty to the Petitioner to circulate the matter in case, the Tribe Claim of her father and brother are validated. The Committee at Nashik as per the order dated 23rd February 2024 has validated the Tribe Claim of both of them and that is why, now the matter is circulated. The Committee in the said order has referred to pre-constitutional documents and Validity Certificates granted to near blood relatives and this is one of the reason for granting them Validity Certificates. As held in case of *Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti V/s. State of Maharashtra and Others*¹, if there are validity certificates granted to the blood relatives and if they are granted as per the proper procedure, and after conducting due inquiry, they need to be given proper weightage. There is no dispute about the relationship of the Petitioner with both

¹ (2023) 16 Supreme Court Cases 415

of them. This Court is required to consider this subsequent development.

4. In the impugned decision, the Committee had an occasion to go through the Validity Certificate granted in favour of Anil Kashinath Chavan. However, the Committee was not satisfied about the genealogy. That is not the case now. A case for issuing the Validity Certificate is made out. Hence the order:-

-: **ORDER** :-

- (i) Writ Petition is allowed.
 - (ii) The decision dated 22nd August 2018 taken by the Respondent No.2 – Scheduled Tribe Certificate Scrutiny Committee Nashik Division, Nashik is quashed and set aside.
 - (iii) The Respondent No.2 – Committee is directed to issue Validity Certificate in favour of the Petitioner as belonging to “*Koli Mahadev*” *Scheduled Tribe* within a period of six (6) weeks from the date of communication of the order.
5. With these observations, the Writ Petition stands disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)