

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16611 OF 2025

Om Krishnaraj Sonawane,

Age : 18 Years, Occupation : Education,
Residing at : Nananchi Krupa, Sector 20,
Scheme No.1, Building No.18/2,
Chikhali Road, Near Railway Police
Quarters, Krushnanagar, Chinchwad,
Pune City – 411019.

...Petitioner

Versus

1. **The State of Maharashtra**

Through Secretary, Tribal Development
Department, Mantralaya, Mumbai – 32.

2. **Scheduled Tribe Certificate Scrutiny**

Committee, Nashik – 2, Through its
Joint Commissioner, Having its Office
at 2nd Floor, Adiwasi Vikas Bhavan,
Gadkari Chowk, Nashik – 422002.

...Respondents

Mr.Sahil Choudhari a/w Mr.Deepak Choudhari, Advocates for
Petitioner.

Smt.D.S.Deshmukh, AGP, for the Respondents-State.

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

DATE : 16th FEBRUARY 2026

ORAL JUDGMENT : (PER : M.S.KARNIK, J.)

1. Heard learned counsel for the Petitioner and learned AGP for the
Respondents-State.

2. It is not in dispute that the Petitioner's father has been issued a "Certificate of Validity" as belonging to "Mahadeo Koli Scheduled Tribe" by the Scheduled Tribe Certificate Scrutiny Committee, Nashik Division. In the light of the law laid down by the Hon'ble Supreme Court in *Maharashtra Adiwasī Thakur Jamat Swarakshan Samiti V/s. State of Maharashtra and Others*¹ and by this Court in *Apoorva d/o Vinay Nichale V/s. Divisional Caste Certificate Scrutiny Committee No.1 and others*², the Petition succeed. That the "Certificate of Validity" issued in favour of the Petitioner's father or its genuineness is not in dispute. The relationship is not in dispute.

3. It is the submission of learned AGP that the vigilance cell inquiry was not done in the case of father. So far as the Petitioner's aunt namely Vaishali Ramchandra Sonawane is concerned, though the then Scrutiny Committee issued the "Validity Certificate", the present Scrutiny Committee observed several discrepancies in the documents. The vigilance inquiry was conducted in Vaishali's case. However, the Scrutiny Committee noticed several discrepancies in the surname of the Petitioner's aunt which according to the Committee should have dissuaded the then Scrutiny Committee in issuing the "Certificate of Validity" in favour of Petitioner's aunt – Vaishali.

1 (2023) 16 Supreme Court Cases 415

2 2010(6) Mh.L.J. 401

4. Thus, in our opinion, on the strength of the “*Certificate of Validity*” issued to the Petitioner’s father and his aunt, the Petitioner being close blood relative should be issued with the “*Certificate of Validity*” as belonging to “*Mahadeo Koli Scheduled Tribe*”. Merely because a show cause notice being issued to the Petitioner’s father, is no reason to assume at this juncture that the “*Caste Validity Certificate*” would be recalled or cancelled. The show cause notice shall obviously be taken to its logical conclusion. The “*Certificate of Validity*” issued to the Petitioner’s father and his aunt from the paternal side is valid and subsisting. In such view of the matter, the issuance of “*Certificate of Validity*” to the Petitioner can be made subject to the outcome of the show cause notice issued to the close blood relatives.

5. The Petition is, accordingly, allowed. The impugned order dated 4th September 2025 passed by the Respondent No.2 – Scrutiny Committee is quashed and set aside. The Scrutiny Committee is directed to issue the “*Validity Certificate*” to the Petitioner as belonging to “*Mahadeo Koli Scheduled Tribe*” within a period of six weeks from the date of communication of this order.

6. It is made clear that the “*Certificate of Validity*” issued to the Petitioner is subject to the outcome of the show cause notice referred to

hereinabove and the same consequences upon its adjudication shall follow even in the case of Petitioner. The show cause notice be decided on its own merits and in accordance with law. All contentions herein are kept open.

7. With these observations, the Writ Petition stands disposed of.

8. Pending Applications, if any, also stand disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)