



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.4399 OF 2026**

Aryan Abhijit Rajput

Since Minor through his legal guardian

and father Abhijit Maganlal Rajput,

Age 45 years, residing at Plot No.42,

“Laxmisparup” Sharda Society, Kupwad Road,

Sangli, District Sangli - 416416

...Petitioner.

**VERSUS**

1. District Caste Certificate Scrutiny Committee,  
District Kolhapur

Dr. Babasaheb Ambedkar Samajeek Nyaya,  
Bhavan, 2<sup>nd</sup> Floor, Vichare Mala, Kolhapur,  
PIN 416 003

2. Veermata Jijabai Technological Institute (VJTI)  
H.R. Mahajani Road, Matunga (East),  
Mumbai – 400 019

3. State Common Entrance Test Cell,  
Maharashtra State, Mumbai,  
having its office at 8<sup>th</sup> Floor,  
New Excelsior Building, A.K. Nair Marg,  
Fort, Mumbai – 400 001.

4. State of Maharashtra  
Through its Department of Technical Education  
Mantralaya, Mumbai – 400 032.

...Respondents.

**Appearance :**

*Mr. P. D. Dalvi a/w Tejas Shelake & Ms. Sonal Nalawade, Advocate for the  
Petitioner*

*Mr. A. P. Vanarase, AGP for the Respondent Nos.1 and 4 – State*

*Mr. Nagesh Y. Chavan a/w Mr. Abhang M. Suryawanshi a/w Ms. Ankita Chindage,  
Advocate for Respondent No.3 (CET Cell)*

**Coram : Sharmila U. Deshmukh &  
Neeraj P. Dhote, JJ.**

**Reserved on : 8<sup>th</sup> September, 2026.  
Pronounced on : 11<sup>th</sup> September, 2026.**

**FINAL ORDER : [PER NEERAJ P. DHOTE, J.]**

1. By consent of both the sides, heard finally at the admission stage.
2. By the present Writ Petition, the Petitioner has challenged the order dated 04.09.2026, passed by Respondent No.1 – Scrutiny Committee, invalidating his caste claim towards “Rajput Bhamta – Vimukt Jati (A)” and cancelling his caste certificate issued by the Competent Authority as belonging to “Rajput Bhamta – Vimukt Jati (A)”.
3. The Petitioner is the student. The Competent Authority had issued a caste certificate dated 26.05.2026 to the Petitioner as belonging to “Rajput Bhamta – Vimukt Jati (A)”. The educational institution when the Petitioner was studying, submitted his caste certificate for verification to Respondent No.1 – Scrutiny Committee. The Petitioner submitted necessary documents in support of his caste claim, including validity certificates issued by the Scrutiny Committee in favour of his father and grandfather. As the Petitioner wanted to pursue higher education with Respondent No.2 – Institute, he applied to Respondent No.2 – Cell for admission from the reserved quota as belonging to “Rajput Bhamta – Vimukt Jati” (A). As the claim of the

Petitioner was pending with Respondent No.1 – Scrutiny Committee and not decided, initially the prayer in the petition was to direct Respondent No.1 – Scrutiny Committee to decide his claim on or before 05.09.2026, as the validity certificate was required to be submitted on or before 07.09.2026 for securing admission in the first-year course of Electronics and Telecommunication. This Court, by order dated 03.09.2026, directed Respondent No.1 – Scrutiny Committee to consider the claim of the Petitioner without seeking any further documents, as the Petitioner's father and grandfather were having validity certificates, by 04.09.2026 and if found to be in order, to issue the validity certificate by 04:30 p.m. on 04.09.2026. By the impugned order, Respondent No.1 – Scrutiny Committee invalidated the Petitioner's claim towards "Rajput Bhamta – Vimukt Jati (A)".

4. It is submitted by the learned Advocate for the Petitioner that, though the Petitioner's grandfather and father are having the validity certificates issued by the Scrutiny Committee as belonging to "Rajput Bhamta – Vimukt Jati (A)", and copies of the said validities were submitted by Respondent No.1 – Scrutiny Committee, the said validities are discarded. He further submitted that, the State Government in the Social Justice Department, issued the Government Resolution dated 22.08.2007 to the effect that, while considering the caste / tribe claims,

if the Committee finds that, any family member in blood relation have the validity certificates issued by the appropriate authority, the same shall be considered and the Applicant be issued with the validity certificates without asking for any other document, within a period of one (01) month. He submitted that, on the basis of the validities in favour of the Petitioner's grandfather and father, the Petitioner is entitled for the validity certificate to the "Rajput Bhamta – Vimukt Jati (A)" as per the settled position in law. He further submitted that, the validity certificate be made co-terminus with the validity certificates of the grandfather and father of the Petitioner.

5. The Petition is opposed by the learned AGP appearing for Respondent Nos.1 and 4. He submits that, the order impugned passed by Respondent No.1 – Scrutiny Committee shows consideration of the validity certificates of the Petitioner's grandfather and father, and noted that, no document prior to 21.11.1961 was seen in the files of the Petitioner's grandfather and father showing the caste as "Rajput Bhamta". It further noted that, there are sale deeds of 1941 and 1948, wherein the caste was mentioned as "Pardeshi", and in the school leaving certificate of great-grandfather of the Petitioner, the caste was mentioned as "Rajput". The Committee has issued show-cause notices to the Petitioner's grandfather and father, and therefore, the said two

(02) validities were not sufficient to validate the Petitioner's claim. He further submitted that, by notification dated 22.07.2026, the State Government amended the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 and conferred the powers of Review to the Scrutiny Committee. He submitted that, as the Petitioner failed to prove his claim towards "Rajput Bhamta – Vimukt Jati (A)", Respondent No.1 – Scrutiny Committee has rightly passed the impugned order and the Petition be dismissed.

6. We have perused the record of Respondent No.1 – Scrutiny Committee made available by the learned AGP. The genealogy submitted by the Petitioner before the Committee shows that, Abhijeet Maganlal Rajput was his father, Maganlal Surupsingha Rajput was his grandfather, and Surupsingha Aapsingha Rajput was his great-grandfather. There is no dispute in respect of the said genealogy. The Petitioner primarily relied on the validity certificates dated 01.06.2008 issued by the Scrutiny Committee in the name of grandfather and father of the Petitioner as belonging to "Rajput Bhamta – Vimukt Jati (A)". There is no denial that, the Scrutiny Committee had issued the said

validity certificates. The impugned order goes to show that, the said validities are discarded by the Scrutiny Committee on the ground that, no document prior to the deemed date, i.e. 21.11.1961, showing the caste as "Rajput Bhamta" was found in the files of the said validity holders. It further observed that, in the sale deeds of the year – 1941 and 1948, and in the school leaving certificate of great- grandfather of the Petitioner, the caste was mentioned as "Rajput" and "Rajput" caste comes in the Other Backward Class. It further observed that, it appears that, the validity holders misled the Scrutiny Committee at the time of issuing the validity certificates. It is further observed that, in the impugned order, the validity holders possessed caste certificates showing as belonging to "Rajput Bhamta", which were issued from the Sub-Divisional Officer, Miraj, whereas they were originally residents of Taluka – Shirod. The order impugned further goes to show that, the Committee decided to reopen the cases of the said validity holders, i.e. the grandfather and father of the Petitioner, and show-cause notices were issued to them.

7. Perusal of the Government Notification dated 22.07.2026 shows that, by the Amendment Act of 2006, the Scrutiny Committee is conferred with the powers of Review. Perusal of the aforesaid Government Resolution dated 22.08.2007 shows that, the Scrutiny

Committee was expected to issue a validity certificate to a candidate if family members with blood relations are issued the validity certificates, without asking any other documents. The fact remains that, as on date, the Petitioner's grandfather and father are having validity certificates as belonging to "Rajput Bhamta – Vimukt Jati (A)". This is the situation that, the grandfather and father of the Petitioner belong to "Rajput Bhamta – Vimukt Jati (A)" and the Petitioner does not belong to the said caste. As there is no dispute in respect of the relationship between the Petitioner and two (02) validity holders, i.e. grandfather and father, the Petitioner cannot be deprived of a validity certificate towards the same caste.

8. Useful reference can be made to the decision of the Division Bench of this Court in **Shweta Balaji Isankar Vs. State of Maharashtra; 2018 SCC Online Bom 10363**, which was on similar facts. In the said case, the Petitioner had relied on the validity certificates issued to her uncle and cousin uncle, and the Scrutiny Committee discarded the same, as show-cause notices were issued to the validity holders on the ground that, it was vitiated by fraud or suppression of material facts. This Court observed that, If it is a serious allegation and which is termed as fraud, then, it should have been taken to its logical end and mere issuance of a show cause notice in the present case would not suffice for there were

two certificates of validity relied upon. This Court set aside the order of invalidation of the caste claim and made issuance of a validity certificate to the Petitioner, subject to the outcome of the proceedings initiated against the validity holders.

9. In view of the undisputed factual aspects of the matter and in light of the above discussion, we adopt the same course of action as was adopted in the above-referred decision in *Shweta Balaji Isankar (supra)*. The order impugned is, therefore, liable to be set aside, with the direction to Respondent No.1 – Scrutiny Committee to issue a validity certificate to the Petitioner as belonging to “Rajput Bhamta – Vimukt Jati (A)”, which shall be co-terminus or subject to, the validity certificates issued to the grandfather and father of the Petitioner. In another words, the validity certificate of the Petitioner shall be subject to the outcome of the proceedings initiated by Respondent No.1 – Scrutiny Committee in the matters of the validity certificates of the grandfather and the father of the Petitioner. Hence, the following order:

### **ORDER**

[I] The impugned order dated 04.09.2026 passed by Respondent No.1 – Scrutiny Committee invalidating the claim of the Petitioner is quashed and set aside.

[II] The Respondent No.1 – Scrutiny Committee is directed to issue a validity certificate to the Petitioner as belonging to “Rajput Bhamta – Vimukt Jati (A)”, within a period of one (01) week, which shall be subject to the outcome of the proceedings initiated by Respondent No.1 – Scrutiny Committee in the matters of the validity certificates of the grandfather and the father of the Petitioner.

[III] In view of the order dated 04.09.2026, whereby the period to submit the caste validity certificate is extended by three (03) months pursuant to the Government Circular dated 04.09.2026, no directions in respect of Prayer Clauses (b) and (c) are warranted.

[IV] Writ Petition stands disposed of accordingly.

**[Neeraj P. Dhote, J.]**

**[Sharmila U. Deshmukh, J.]**