

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 8230 OF 2022

Anurag Dinesh Rokade
Age - 18, Occu : Education
R/o. Kholapur, Tq. Bhatkuli,
Dist. Amravati.

.....**Petitioner**

...Versus...

District Caste Certificate
Scrutiny Committee, Amravati
Tq. & Dist. Amravati.

.....**Respondent**

Mr. N. A. Gawande, Advocate for the petitioner
Mrs. K. R. Deshpande, A.G.P. for the respondent

CORAM : **ROHIT B. DEO AND M. W. CHANDWANI, JJ.**

DATE : **23-06-2023**

ORAL JUDGMENT : (PER ROHIT B. DEO, J.)

Rule. Rule made returnable forthwith. With consent,
heard finally.

2. The petitioner secured caste certificate of 'Wani' Caste,
which is included in the OBC category in the State of
Maharashtra.

3. The petitioner sought validation of the caste
certificate, which is rejected by the scrutiny committee by the

order impugned.

4. The scrutiny committee observes that there are two contra entries. The first entry is reflected in the school leaving certificate dated 12-10-2000 of the petitioner's grandfather which is 'Saitwad' and the other entry is 'Jain', which is reflected in the school leaving certificate of the cousin uncle. The scrutiny committee, after considering the contra entries, observed that in the vigilance cell report, the affinity, which is established is with the Jain religion.

5. We are not persuaded to accept the reasons recorded by the scrutiny committee.

6. We note there is no dispute that the pre-constitution entry of 14-1-1931 of the great grandfather of the petitioner is 'Wani'. Similarly, the post constitution entry, which is relatively old that is of October, 1955 of cousin grandfather is also 'Wani'. Other than the two entries, which are considered as contra entries, all other entries are 'Wani'. The scrutiny committee further did not appreciate that the petitioner explained in response to the vigilance cell report that the petitioner belongs to

the Jain sect or religion. It is but natural that the rituals shall confirm with the practices of the Jain religion.

7. We are satisfied that the petitioner belongs to the 'Wani' Caste, which is included in the list of OBC category in the State of Maharashtra.

8. The order impugned is set aside.

9. We direct the District Caste Certificate Scrutiny Committee, Amravati to validate the caste certificate of the petitioner within the next four weeks.

10. The petition is allowed in the aforestated terms.

(M. W. Chandwani, J.)

(Rohit B. Deo, J.)

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