

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

**WRIT PETITION NO. 142 OF 2024**

Mayuri Surendra Koli

...Petitioner

Versus

State Of Maharashtra and Ors

...Respondents

YUGANDHARA  
SHARAD PATIL

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Mr.C.K. Bhangoji for the Petitioner.

Ms. R.A. Salunkhe, AGP for Respondent Nos. 1 to 3.

.....

**CORAM : NITIN JAMDAR &  
M.M.SATHAYE, JJ.**

**DATE : 11 JANUARY 2024**

**P.C.:**

. The Petitioner has relied upon caste certificates issued to Petitioner's paternal relatives of the year 1980 and 1985 which are referred to in Appeal filed before the Scrutiny Committee. Petitioner's application for issuance of caste certificate is rejected. Thereafter the Appeal filed before the Scrutiny Committee was also rejected. Petitioner has relied upon a decision to contend that Caste Certificate issued to relatives should be considered as *Prima facie* proof for issuance of Caste Certificate to her.

2. In the Appeal filed before the Scrutiny Committee, the Petitioner has relied upon caste certificates issued to Petitioner's uncle of September 1980 and February 1985. Learned counsel for

the Petitioner states that since caste certificates are already issued to the family members of the Petitioner on the paternal side, it should be considered as adequate proof for the purpose of issuance of caste certificate. These are issued prior to coming in force of 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 ( for short “ the said Act 2000” ) and Rules framed thereunder.

3. Question would arise of distinction between caste certificates issued prior to coming in force of the said Act 2000 and caste certificate issued under the said Act 2000 and Rules framed thereunder. Under the said Act 2000 and Rules framed thereunder there is an element of inquiry at the time of issuance of caste certificate whereas prior to coming in force of the Act, caste certificate was issued with less rigour and based primarily on candidate's affidavit and school record of the candidate.

4. Learned AGP seeks time to file reply and to address the Court on this issue.

5. Stand over to **15 February 2024**.

(M.M.SATHAYE, J.)

(NITIN JAMDAR, J.)