



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 2880 OF 2024

.....
Masad s/o. Bhakchand Daiya Vs. The District Caste Certificate Scrutiny Committee, Akola)
.....

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

.....
Mr. S.A. Mohta, Advocate for petitioner,
Mr. D.P. Thakare, Additional Government Pleader for respondent.
.....

**CORAM : NITIN W. SAMBRE &
ABHAY J. MANTRI, JJ.**

DATED : 15-07-2024

Heard.

2. The claim of the petitioner for issuance of validity certificate of belonging to “Shimpi” (Other Backward Class) came to be rejected by the impugned order dated 6.3.2024 passed by the respondent – Caste Scrutiny Committee.

3. In support of the claim, the petitioner has produced the oldest document of the year 1958 in relation to his grandfather wherein caste is recorded as “Shimpi”.

4. The Committee has taken into account the documents of the years 1969, 1973 and 1980 in relation to father and uncle of the petitioner wherein caste is recorded as Marwadi Shimpi or Marwadi Tailor.

5. As far as aforesaid adverse entries, which are sought to be relied upon by the Committee for rejection of claim of the petitioner for issuance of validity

certificate are concerned, it is worth to clarify that the word “Tailor” is representing the word “Shimpi” in English language. Similarly, it can be inferred that Marwadi is a community and not a caste recognized under any of the Constitutional Orders.

6. In the aforesaid background, having noticed that there is consistency in the documentary entries from 1958 in relation to grandfather, father and uncle of the petitioner as belonging to “Shimpi”, the reasoning given by the Committee so as to support the order of rejection cannot be said to be sustainable.

7. Having regard to the fact that the petitioner has produced on record the documentary entries, which are prior to the Government Resolution dated 13.10.1967 as to inclusion of “Shimpi” caste in the Other Backward Classes reservation list, such entries will have more probative value.

8. In this background, we quash and set aside the impugned order dated 6.3.2024 passed by the respondent Committee and declare that the petitioner belongs to “Shimpi” (Other Backward Class). The petitioner is entitled for issuance of validity certificate within four weeks from the date of production of this order.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)