



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 192 OF 2023

**MAGAN MURLIDHAR BAVISKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND ANOTHER**

...
Advocate for the Petitioner : Mr. S.M. Kulkarni h/f.
Mr. Bhadgaonkar Umesh A.
AGP for Respondents: Mr. K.K. Naik

...
**CORAM : R.G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.**

DATE : 23.12.2025

PER COURT:

Rule. Rule made returnable forthwith, with the consent of the parties the matter is taken up for final hearing at the stage of admission.

2. The petitioner by this writ petition is challenging the order dated 08.12.2022 passed by the respondent – caste scrutiny committee, thereby, invalidating the caste claim of the petitioner of belonging to ‘Tokare Koli’ scheduled tribe.

3. Heard learned counsel for the petitioner and the learned AGP for the respondent authorities and the caste scrutiny committee. The learned counsel for the petitioner submits that the earlier vigilance cell report of which the genealogy forms part, shows that the petitioner is a

blood relative of Sharad Shivaji Patil, who has been granted validity by the caste scrutiny committee. The caste claim of the daughter of Sharad was invalidated by the caste scrutiny committee, as a result of which the daughter Durga filed writ petition No.8619/2023. It is further contended that this Court by an order dated 20.09.2023 allowed the said writ petition granting conditional validity in favour of said Durga subject to the reopening proceedings initiated by the caste scrutiny committee in respect of caste validity certificate of said Sharad Shivaji Patil.

4. The learned AGP appearing for caste scrutiny committee on the other hand submits that there are certain adverse entries recorded by the caste scrutiny committee in the impugned order. He also submits that there are certain documents which have been suppressed while obtaining the caste validity by the said Saharad Shivaji Patil and therefore the petitioner is not entitled even for grant of conditional validity.

5. We have perused the genealogy, which shows that name of Durga Sharad Patil, to whom this Court has granted conditional validity, finds place in it. The name of the petitioner is also therein. Since this Court has already granted conditional validity to Durga Sharad Patil (supra) her blood relative, we find that the petitioner, deserves to be granted conditional validity. Hence, we pass the following order.

ORDER

I. The writ petition is partly allowed.

- II. The impugned order dated 08.12.2022 passed by the respondent No.2 - Caste Scrutiny Committee, thereby, invalidating the caste claim of the petitioner is hereby quashed and set aside.
- III. The respondent No.2 – Caste Scrutiny Committee is directed to issue caste validity certificate to the petitioner.
- IV. The said caste validity issued in favour of the petitioner would be subject to the outcome of the caste claim of the blood relatives of the petitioner on which the petitioner seek reliance
- V. The petitioner would not claim any equities.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)