



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 WRIT PETITION NO. 2589 OF 2025

Latabai Mahadev Narwade

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

Mr. Joshi Ajinkya Anand, Advocate for the Petitioner

Mr. S. V. Hange, AGP for Respondents State

CORAM : MANGESH S. PATIL &
Y. G. KHOBRADE, JJ.

DATE : 19th March, 2025

ORDER:

1. Heard the learned advocate for the petitioner as also the learned AGP

2. Though the petitioner is challenging the order of respondent no.2/scrutiny committee refusing to validate her 'Mahar' scheduled caste certificate, the learned advocate submit that she is merely seeking remand of the matter for fresh scrutiny. He submits that there is a validity in the family and the validity holder has affirmed the affidavit. This being a matter of social status, an opportunity may be extended to her to substantiate her claim on the basis of that validity, independently.

3. The learned advocate for the petitioner submits that though the committee has made certain observations regarding non cooperation of the petitioner, for which the petitioner has suffered in

the form of passing of the impugned order, she would cooperate the committee for proper adjudication of her caste claim.

4. Since it is a matter of social status and issue is not an adversarial one, in our considered view, interest of justice would be met if an opportunity is extended to the petitioner to make another attempt in discharge of the burden cast upon her under section 8 of the Maharashtra Act, 2001.

5. Writ petition is partly allowed.

6. The impugned order is quashed and set aside. The matter is remanded back to the scrutiny committee for fresh adjudication, by extending opportunity to the petitioner to lead additional evidence. The petitioner shall appear before the committee on 01.04.,2025 and shall cooperate the committee.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

JPChavan