



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 WRIT PETITION NO. 7846 OF 2024

GAYATRI PRAKASH RAJPUT

VERSUS

THE STATE OF MAHARASHTRA
THROUGH PRINCIPAL SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Phatale Sagar S.
Addl.G.P for Respondent/State : Ms.K.B.Patil-Bharaswadkar

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

DATE : 23.09.2025

PER COURT :

. Heard.

2. The petitioner claims to have belonged to 'Rajput Bhamta' (Vimukta Jati). The petitioner's caste certificate was subjected to scrutiny. The Respondent/Scrutiny Committee declined to grant validity certificate. The petitioner, is therefore, before us.

3. Learned Advocate for the petitioner mainly rely on pre-constitutional entry in the land record of the petitioner's great grandfather wherein his Caste has been shown as 'Rajput Bhamta' (Vimukta Jati). The said record pertains to the year 1358 Fasli (1948 A.D). He also relies on validity certificate granted in favour of the petitioner's cousin/Tanuja and ultimately, urged for setting aside the order impugned herein.

4. *Per contra*, the learned A.G.P took us through the reasons given by the Respondent/Scrutiny Committee in support of the order impugned herein. According to the Scrutiny Committee, except the entry in the revenue record of 1948, all other subsequent records indicate, that the petitioner's forefathers have belonged to 'Hindu Rajput'. The Committee found that the entry in the revenue record might have been made just with an ulterior motive. According to the Committee, had really the petitioner's great grandfather belonged to 'Rajput Bhamta' (Vimukta Jati), the very entry should have been reflected in all the subsequent records as regards the petitioner herself and her forefathers, as well. The learned A.G.P also submitted that, the Scrutiny Committee was of the view, to reopen the case of Tanuja, but for want of jurisdiction to review. The learned A.G.P ultimately urged for the dismissal of the Writ Petition.

5. In the second breath, she would submit that if the Court is inclined to allow the Writ Petition, the Certificate be issued conditionally.

6. We have considered the submissions advanced. Perused the order impugned herein and the records relied upon. Admittedly, the petitioner's cousin- Tanuja has been granted validity certificate by the Scrutiny Committee. The Scrutiny Committee granted it relying, on entry in the revenue record of 1948 wherein the petitioner's great grandfather has been shown to have belonged to 'Rajput Bhamta'/Caste. It is true, that in all other subsequent records, the

word 'Bhamta' does not appear. The petitioner's forefathers and the petitioner as well are shown, 'Hindu Rajput' in the subsequent records.

7. The legal position is that, no particular number of witnesses or documents are required in proof of a fact. A testimony of a sole witness or a reliable or clinching document would make out a case. The revenue record of the year 1948 is necessarily a pre-constitutional document. The findings of the Scrutiny Committee that the entry in the said revenue record might have been made with some oblique motive, has no base. The Caste- 'Rajput Bhamta' was included in the List of Schedule of Castes, on 21.11.1961, i.e 13 years, after the entry in the revenue record. It could not been assumed that petitioner's great grandfather had dreamed, that his caste would be placed in Reserved Category, in future. In our view, the observations of the Scrutiny Committee, that the Revenue entry might have been made with some oblique motive, therefore, needs to be discarded.

8. It is true that, all other records, speaks against the case of the petitioner. However, the sole entry in the revenue record, genuineness of which, has no shred of doubt for us, would prevail over all the subsequent entries. In our view, the Scrutiny Committee ought to have relied on the said entry to grant the petitioner, validity certificate. The record indicates that relying on the very entry, the petitioner's cousin- Tanuja was granted validity certificate by the

Scrutiny Committee. It appears that Respondent No.3 had made complaint, against the petitioner and as a result thereof, the Committee might have been influenced or come under pressure, to pass the order impugned herein. For all the reasons stated hereinabove, an interference with the order impugned herein is unwarranted.

9. The Writ Petition, therefore, succeeds in terms of the following order :

ORDER

A) Writ Petition is allowed.

B) The impugned order dated 22.05.2024 passed by the Respondent/Scrutiny Committee is quashed and set-aside.

C) The Respondent/Scrutiny Committee shall issue validity certificate to the petitioner as belonging to 'Rajput Bhamta' (Vimukta Jati).

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

vsj..