



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

WRIT PETITION NO. 14272 OF 2025

Suraj Rajabhau Tambud And Another .. Petitioners

Versus

The State Of Maharashtra And Others .. Respondents

Mr. Pratap V. Jadhavar, Advocate for Petitioners.

Ms. R. P. Gaur, AGP for Respondent Nos. 1 to 3.

**CORAM : KISHORE C. SANT AND
ABASAHEB D. SHINDE, JJ.**

DATE : 28th NOVEMBER 2025.

PER COURT :-

1. Heard learned advocate for the petitioners and learned A.G.P. for the State.

2. The petitioners have challenged an order passed by the scrutiny committee in an appeal under section 5 of The 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 (hereinafter referred to as “the said Act” for the sake of brevity) rejecting the appeal

thereby confirming the order passed by the learned S.D.O. who refused to grant caste certificates. The petitioners applied for caste certificates to the learned S.D.O., Majalgaon seeking caste certificates as belonging to Koli Mahadev. The learned S.D.O. rejected the application on three grounds, (i) the petitioners could not produce any evidence prior to 1950 to show the caste/tribe, (ii) there is no sufficient evidence. The petitioners could not prove their caste and (iii) whether a single document from any of the relative belonging to the caste is sufficient and rejected the application.

3. This Court has seen section 3 of the said Act. Section 3 reads as under :

“3. Application for a Caste Certificate.— Any person belonging to any of the Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes or Special Backward Category, required to produce a Caste Certificate in order to claim the benefit of any reservation provided to such Castes, Tribes or Classes, either in any public employment or for admission into any educational institution, or any other benefit under any special provisions made under clause (4) of Article 15 of the Constitution of India or for the purpose of contesting for elective post in any local authority or in the Co-operative Societies ; or for purchase or transfer of land from a tribal land-holder or any other purposes specified by the Government, shall apply in such form and in such manner as may be prescribed, to the Competent Authority for the

issue of a Caste Certificate.”

4. This Court finds that, the reason given by the learned S.D.O. is beyond section 3 of the said Act and has refused to grant certificate. The learned member of the committee also failed to appreciate that, document prior to 1950 is not required by section 3 of the said Act and still that is used as one of the grounds to refuse issuance of caste certificate. Therefore, this Court finds that, the petition needs to be entertained. A case is made out to allow the petition.

5. The writ petition stands allowed in terms of prayer clause (B). The petitioners to approach the authority i.e. learned S.D.O., Majalgaon on 02.12.2025. The learned S.D.O. to complete the procedure within two (02) weeks thereafter.

6. With this, the writ petition stands disposed of.

(ABASAHEB D. SHINDE, J.)

(KISHORE C. SANT, J.)

PS.B.