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956-WP-15122-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

956 WRIT PETITION NO. 15122 OF 2025

Sachin Janardhan Waghmare

VERSUS

The State Of Maharashtra And Others

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Mr. Deepak D. Choudhari, Advocate for the Petitioner.

Mr. B. B. Bhise, AGP for Respondent-State.

CORAM : KISHORE C. SANT &
ABASAHEB D. SHINDE, JJ.

DATE : 17th DECEMBER 2025.

PC :-

1. Heard Mr. Choudhari, the learned Advocate for the Petitioner and Mr. Bhise, the learned AGP for Respondent-State.
2. Here, the grievance of the petitioner is about non-deciding his tribe claim by the Committee. It is the case that the petitioner is resident of Ahmednagar district. He claims to be belonging to Koli Mahadev (29). He came to be appointed with Respondent Nos. 4 and 5 against the post reserved for a person from Scheduled Tribe, with a stipulation that he

should produce caste validity certificate within six months from the date of his joining. The appointment order is dated 28.08.2019. However, it is a fact that till now, no action is taken. The petitioner, for the first time, lodged his tribe claim with the Scheduled Tribes Certificate Scrutiny Committee Nashik Division, Nashik on 7th January 2015. The said Committee, however, informed the petitioner that since he is a resident of Jalna district, his claim needs to be decided by the Scheduled Tribes Certificate Scrutiny Committee, Chh. Sambhajinagar. However, the Scheduled Tribes Certificate Scrutiny Committee, Nashik passed an order stating that since the Caste Certificate was issued by the learned Sub-Divisional Officer at Ahmednagar, and transferred the proceeding to the Committee at Chh. Sambhajinagar.

3. After the claim petition was transferred to Chh. Sambhajinagar, the Committee at Chh. Sambhajinagar refused to entertain the claim petition, stating that the Caste Certificate is issued by the Sub-Divisional Officer at Ahmednagar and that it is the Nashik Committee which has jurisdiction. However, again the Scrutiny Committee, Nashik by

impugned order dated 03rd November 2025, refused to entertain the claim petition, stating that it has no territorial jurisdiction.

4. The petitioner, in view of above situation, has approached this Court with a prayer to direct either the Scheduled Tribes Certificate Scrutiny Committee, Nashik or the Scheduled Tribes Certificate Scrutiny Committee, Chh. Sambhajinagar, to decide the tribe claim.

5. This Court today requested the learned AGP to ask for the clarification as to which Committee has the jurisdiction to decide the tribe claim. Now a copy of communication dated 17th December 2025 is placed on record. It is stated that since the petitioner originally belongs to Dadegaon, Taluka Paithan Dist. Chh. Sambhajinagar, it is the Scheduled Tribes Certificate Scrutiny Committee, Chh. Sambhajinagar, that will decide the tribe claim of the petitioner.

6. Considering above, this Court finds that the petition can be disposed off with following directions.

(i) The Scheduled Tribes Certificate Scrutiny Committee, Nashik is

directed to forward the claim petition bearing No.3-ST/2014/116418 to the Scheduled Tribes Certificate Scrutiny Committee, Chh. Sambhajinagar, within 15 days from the date of receipt of this order.

(ii) The Scheduled Tribes Certificate Scrutiny Committee, Chh. Sambhajinagar, after receipt of the proposal, shall decide the claim petition within a period of four (4) months from the date of such receipt.

(iii) The petitioner shall co-operate with the Committee and shall not seek any unnecessary adjournment.

(iv) The petitioner to appear before the Scheduled Tribes Certificate Scrutiny Committee, Chh. Sambhajinagar on 5th January 2026 without fail. No separate notice is required.

7. At this stage, the learned Advocate for the petitioner seeks interim protection. However, this Court finds that he was appointed by order dated 28th August 2019. In clause (12) of the said order states that he is required him to submit caste validity certificate within six months, subject to filing an undertaking. This Court finds that till now, no action

is taken by the Committee. This Court also expressed that inspite of such orders, the authorities did not take any action and the petitioner also slept over for all these years and it is only now the petitioner has approached this Court.

8. In this view, this Court finds that the petitioner is not entitled to grant any relief than the directions.

9. With above directions, writ petition stands disposed off.

[ABASAHEB D. SHINDE, J.]

[KISHORE C. SANT, J.]