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

950 WRIT PETITION NO. 1337 OF 2025

AJAY ASARAM BILPE, THR. POA ASARAM BARIKRAO BILPE
VERSUS

1. THE STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL
DEVELOPMENT DEPARTMENT
2. SCHEDULED TRIBE CASTE CERTIFICATE VERIFICATION
COMMITTEE, CHHATRAPATI SAMBHAJINAGAR
3. THE SUB DIVISIONAL OFFICER, MAJALGAON, BEED

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Mr S. M. Vibhute, Advocate for petitioner
Mr S. R. Wakale, A.G.P. for respondents/State

**CORAM : MANGESH S. PATIL
AND
PRAFULLA S. KHUBALKAR, JJ.**

DATE : 28th January, 2025

PER COURT:

1. Heard both the sides.
2. Repeated observations of this Court are being blatantly ignored by the members of the scrutiny committee constituted under the Maharashtra Act No.XXIII of 2001 and Rules framed thereunder. In spite of the request being merely for issuance of a caste certificate, at which stage prima facie evidence is to be looked into, the competent authorities still continue to decide the individual applications as if they are being called upon to examine everything including the individual merits to have a caste certificate, and in the process, even ignoring the

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tribe certificates possessed by the near blood relatives and even the certificates of validities in the blood relationship.

3. The matter in hand presents a further serious state of affairs. The competent authority in the order had expressly referred to a certificate of validity the blood relationship and had assigned reasons to take exception to it for not extending its benefits to the petitioner. The respondent/committee in the statutory appeal would not take pains even to refer to that validity, examine its worth, much less, makes an attempt to either substantiate or objectively examine the decision of the competent authority. This demonstrates total abdication of the duty by the committee and clearly reflects on their understanding, rather lack of it.

4. The writ petition is allowed. Both the impugned orders are quashed and set aside. Respondent No.3/competent authority shall issue caste certificate to the petitioner of belonging to 'Koli Mahadev' Scheduled Tribe by passing a fresh order on his application.

5. A note of this order shall be incorporated in the service record of the members of the scrutiny committee.

(PRAFULLA S. KHUBALKAR, J.)

sjk

(MANGESH S. PATIL, J.)