



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

945 WRIT PETITION NO. 5671 OF 2025

**TANMAY DATTAPRASAD SHINDE
THROUGH UG DATTAPRASAD DNYANOBA SHINDE & OTHERS
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER**

AND

WRIT PETITION NO. 5672 OF 2025

**SANAVI SUDHARSHAN SHINDE UG REAL UNCLE
DATTAPRASAD DNYANOBA SHINDE & OTHERS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER**

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**Advocate for the Petitioners : Mr. Yeramwar Sushant C.
AGP for Respondents/State : Mr. Amar V. Lavte**

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**CORAM : MANGESH S. PATIL &
Y.G. KHOBRADE, JJ.
DATE : 30.04.2025**

P.C. :-

1. As usual, as we have experienced on several occasions, the competent authorities under the Maharashtra Act No.XXIII of 2001 do not seem to be in their senses and do not apply their mind even while considering innocuous request for issuance of a fresh caste certificate in prescribed form-C according to the rules, even when their predecessors at earlier point of time have issued a similar certificate only in an incorrect form.

2. As is evident from the order passed in the present matters the respondent/competent authority has proceeded to pass the impugned orders as if he was called upon to consider the petitioners' request for the first time, for issuance of Thakar scheduled tribe certificate. He has undertaken some inquiry, assigned some reasons and rejected the application not even making any whisper as to how the earlier certificates were issued and whether he could have entered into such a fresh inquiry akin to the power of review which he does not possess under the Maharashtra Act No. XXIII of 2001.

3. Surprisingly, in spite of certificates of validity of the blood relatives having been placed on record before him, he has simply ignored those with a perfunctory observation about their being no supporting documents to substantiate the certificates of validity, ignoring the fact that any certificate issued under the Act is valid subject to the verification to be undertaken by the scrutiny committee in a proceeding under section 7 of the Act. If such is the approach of the competent authorities, only the gods can save the citizens.

4. The petitions are allowed. The impugned order is quashed and set aside. The respondent/competent authority shall immediately issue Thakar scheduled tribe certificates in form-C to the petitioners within a week.

[Y.G. KHOBRADE, J.]

[MANGESH S. PATIL, J.]