

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5105 OF 2025

Prasad Nandkumar Bhopale

... Petitioner

Versus

District Caste Certificate Validity Committee
Kolhapur Thr. President And Anr

... Respondents

Mr. Drupad S. Patil, Adv. Rugwed R. Kinkar & Adv. Rajvardhan S. Chougale for the Petitioner.

Mr. V. M. Mali AGP for the Respondent-State.

Mr. Chetan G. Patil i/by Mr. Ruturaj Pawar for the Respondent No. 2.

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : September 18, 2025.

P. C. :

1. Leave to amend the Petition, as according to the learned Counsel for the Petitioner inadvertently in the Memo of the Petition, in Ground vii(a), it is inadvertently mentioned that the caste validity certificate is of the mother. Amendment to be carried out forthwith.

2. According to learned Counsel for the Petitioner, the caste validity certificate, which is at page No.208 of the Petition, is of his sister. It is

submitted that this aspect inadvertently could not be brought to the notice of the Caste Scrutiny Committee and the Petitioner unfortunately failed to place this material document on record. It is submitted that this Court in *Apporva Vinay Nichale vs. Divisional Caste Certificate Scrutiny Committee*¹ has held that the caste validity certificate issued in favour of any of close blood relative is vital document, which has to be regarded in favour of the person applying for validity of caste claim. The said aspect needs to be considered by the Caste Scrutiny Committee.

3. In this view of the matter, the impugned order dated 13th February 2025 is hereby quashed and set aside.

4. The Petition is remitted to the Caste Scrutiny Committee for fresh decision by considering the material on record so also considering the caste validity certificate issued to the sister of the Petitioner, which is at page No.208 of the Petition.

5. The Scrutiny Committee to decide the claim uninfluenced by the observations recorded in the impugned Order. The Petitioner and Respondent No. 2 to appear before the Caste Scrutiny Committee on 1st October, 2025 at 11:00 a.m.. The Petitioner and Respondent No. 2 to cooperate with the Caste Scrutiny Committee. The claim of the Petitioner to be decided within a period of 12 weeks from the date of

¹ [2010 Mh. L.J. 401]

communication of this order.

6. All contentions of both the parties are kept open.

7. It is made clear that we have not made any observations on the merits of any of the rival contentions. The Committee to decide caste claim on its own merits and in accordance with law.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]

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