

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11056 OF 2025

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Shivam Sunil Kore

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

.....

Mr. Sachin Bhavar for the Petitioner.

Mr. S.B. Kalel, AGP for the Respondent – State

Mr. Nagesh Y. Chavan for the Respondent No.3

Mr. Ashwin Hon (through VC), for the Respondent No.4

.....

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

Date : August 25, 2025.

P. C. :

1. Heard learned Counsel for the parties.
2. Mr. Hon, learned Counsel appearing for Respondent No. 4 undertakes to file his *Vakalatnama* within a period of one week from today. Time as prayed for is granted.
3. The challenge in this Petition is to the order dated 20th August 2025 passed by the Respondent No.2 – Scheduled Tribe Scrutiny Committee invalidating the Caste Certificate of the Petitioner as belonging to “Koli Mahadev Tribe” issued by the competent Authority.

4. We have perused the impugned order. The caste claim of the Petitioner is rejected mainly on the ground that the Petitioner has suppressed the fact that the Caste Scrutiny Committee has rejected the caste claim of the blood relatives of the Petitioner. As a matter of fact, challenge to the order of rejection of the caste claim is pending consideration at the Principal Seat and in one of the matter, the Petitioner's relative is protected by the interim order. Be that as it may, there is no dispute that the Petitioner's cousin uncles namely, Umakant Dagadu Kore and Ramakant Dagadu Kore have been issued Caste Validity Certificates and their caste claim have been validated by the Caste Scrutiny Committee.

5. Learned AGP made an attempt to justify the impugned order contending that the order should not be interfered with as the Petitioner has suppressed the material facts regarding rejection of the caste claim of his other close relatives. However, facts remains that the Petitioner's challenge to the invalidation of the caste certificate is pending consideration before the Principal Seat. In our opinion, the suppression is not of such a nature which should put the Petitioner to a disadvantage, more so when the caste claims of the close blood relations of the Petitioner have been validated by the Scrutiny Committee.

6. In the light of the law laid down by this Court in the case of *Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee & Ors. [Nagpur Bench, Nagpur, in Writ Petition No. 1504 of 2010]* by order dated 27th July 2010, even this Petition deserves to succeed and accordingly succeeds. The impugned order dated 20th August 2025 passed by the Caste Scrutiny Committee is quashed and set aside. It is pertinent to mention that the caste validity claims of the Petitioner's cousin uncles have been validated on the basis of the order passed by this Court on 9th August 2006 in *Umakant Dagadu Kore & Anr. Vs. State of Maharashtra & Ors.* in Writ Petition No. 2974 of 2004.

7. The Respondent No.2 – Scrutiny Committee is directed to grant necessary caste validity certificate to the Petitioner expeditiously and in any event within a period of one weeks from today.

8. Now that we have directed the Caste Scrutiny Committee to grant necessary validity certificate, the admission of the Petitioner needs to be protected. The Respondent No.4 college, granted / allotted on 13th August 2025 in Cap First Round, but did not confirm the admission on the ground that the Petitioner had not submitted certificate of validity on

or before 22nd August 2025. If the First Cap Round is over, in that case, the Respondent No.3 shall proceed to consider the case of the Petitioner on the footing that the Petitioner's caste claim has been validated by the Scrutiny Committee.

9. The Petitioner undertakes to immediately produce the Caste Validity Certificate issued by the Respondent No.2 to the concerned Authority i.e. Respondent No.3, once the same is physically handed over to the Petitioner.

10. The Petition is disposed of in the aforesaid terms. No costs.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik]