

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

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8943 OF 2023

WITH

INTERIM APPLICATION NO. 10857 OF 2025

WITH

INTERIM APPLICATION NO. 10856 OF 2025

Shankar s/o. Sandip Gavankar] ... Petitioner

Versus

The State Of Maharashtra & Anr.] ... Respondents

*Mr. Sushant Yeramwar (Through V.C.) a/w. Mr. Saurabh P. Tandale for the
Petitioner.*

Mr. V.M. Mali, A.G.P. for the Respondent.

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

Date : 3rd September 2025.

P. C. :

1. Heard Mr. Yeramwar, learned counsel for the Petitioner and Mr. Mali, learned A.G.P. for the Respondents-State.

2. By the impugned Order dated 11th October 2022, the Caste claim of the Petitioner as belonging to 'Thakar - Scheduled Tribe' has been invalidated by the Respondent No.2-Committee. The reasoning of the

Respondent No.2-Committee is that the Petitioner cannot rely upon the Caste Validity Certificates of his father, paternal uncle and cousin, which are at page Nos.38 to 40 of the Petition. According to the Respondent No.2-Committee, the said Caste Validity Certificates have been obtained by suppressing the material documents. In our opinion, the Caste Scrutiny Committee could not have invalidated the Caste claim of the Petitioner on this ground.

3. There is no dispute that the Caste Validity Certificates have been issued in favour of the Petitioner's father, uncle and cousin. Once the Petitioner's father is granted a Certificate of validity as belonging to 'Thakar - Scheduled Tribe', there is no reason then to deprive the Petitioner of the Caste Validity Certificate. Applying the law laid down by this Court (Nagpur Bench) in the case of *Apoorva d/o. Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee & Ors.*¹, present Petition deserves to succeed.

4. As the Caste validity of blood relatives of the Petitioner have been validated and the same are in force, the impugned Order dated 11th October 2022 is required to be quashed and set aside.

5. The Petition is allowed in terms of prayer clauses (B) and (C).

6. In view of disposal of Petition, Interim Application Nos.10856 of

¹ Writ Petition No. 1504 of 2010, dated 27th July 2010.

2025 and 10857 of 2025 do not survive and are accordingly disposed off.

7. Respondent No.2-Committee is directed to issue Caste Validity Certificate in favour of the Petitioner forthwith.

8. At this stage, learned counsel for the Petitioner submits that today is the last date for submitting the Caste Validity Certificate to the Veermata Jijabai Technological Institute (V.J.T.I.), Mumbai.

9. In view thereof, we direct the V.J.T.I., Mumbai to process the admission of the Petitioner on the footing that the Petitioner belongs to 'Thakar - Scheduled Tribe' and that Caste claim stands validated.

10. Parties to act on an authenticated copy of this Order.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik]

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