

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.2394 OF 2023

Ankush Gulabrao Kadam	...Petitioner
Versus	
State of Maharashtra and Anr.	...Respondents

***WITH
WRIT PETITION NO.2658 OF 2024***

Digvijay Ankush Kadam	...Petitioner
Versus	
State of Maharashtra and Anr.	...Respondents

Mr. Harsh P. Dedhia for the Petitioners.

Mr. P. P. Kakade, Addl.G.P a/w Ms. M. S. Bane, A.G.P. for the Respondent-State in WP/2394/2023.

Mr. P. P. Kakade, Addl.G.P a/w Mr. S. P. Kamble, A.G.P. for the Respondent-State in WP/2658/2024.

***CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.***

DATE : 11th JUNE 2025

P.C. :

1. On 29th January 2025, the following order was passed by this Court in the aforesaid petitions: -

“ 1. The learned Advocate for the Petitioners submit that the Petitioner in the first matter is the biological father of

the Petitioner in the second matter. He has emphatically informed us that Kranti, daughter of Sandesh Kadam; Sunita, daughter of Dattatray Kadam; Hemant, son of Popat Kadam; and Rahul, son of Chandrakant Kadam, have been granted validity certificates by Judgments of this Court.

2. *For ready reference, he has referred to the Judgment delivered by this Court on 20th January, 2023, in Writ Petition No.8190 of 2015 (**Rahul Chandrakant Kadam & Kranti Sandesh Kadam V/s. State of Maharashtra thr. its Secretary & Anr.**). As we perused the Judgment, we found that this Court has recorded in Paragraph No.7 that the inquiry report indicates that Gulab Gangaram Kadam is not a relative of the said Petitioners on the paternal side. This Gulab Kadam is the father of Ankush Kadam and grandfather of Digvijay Kadam (the 2 Petitioners before us).*

3. *This Court has held in **Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 Nagpur, 2010(6) Mh.L.J.401**, that if biological/close blood relatives from the paternal side have been granted validity certificates, the claims of the Applicants can be considered. The Hon'ble Supreme Court has held in **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. The State of Maharashtra and others, AIR 2023 SC 1657**, that it is the claimants who have to establish the blood relations from the paternal side, with those who have been granted validity certificates.*

4. *We, therefore, grant liberty to the learned AGP to peruse the record with regard to Ankush, son of Gulab Kadam and Digvijay, son of Ankush Kadam (the Petitioners before us), so as to assess as to whether these Petitioners can be said to be blood relatives from the paternal side qua Kranti Kadam, Sunita Kadam, Hemant Kadam, and Rahul Kadam.*

5. *As per the request of the learned AGP, list these Petitions on 20th February, 2025, to be called out after the fresh admissions board.*

6. *We direct the Petitioners to prepare a short affidavit and tender a detailed family tree before us, failing which, we would adjourn these Petitions.”*

2. Today, Mr. Kakade, learned Addl.G.P., on instructions, states that on conducting necessary enquiry, they have found that the petitioners have established their blood relations from the paternal side, who have already been granted Caste Validity Certificate. He, thus, very fairly states that the petitioners would be entitled for the Caste Validity Certificate, as sought by them. Mr. Kakade states that the Caste Validity Certificate will be issued in favour of the petitioners, within one week from today. Statement accepted.

3. In view of the aforesaid, the impugned Judgments and Orders dated 26th December 2022 and 27th December 2022, passed by the Schedule Tribe Caste Certificate Scrutiny Committee, Pune Division, Pune in their respective cases, stand quashed and set aside.

4. Petitions are allowed and are accordingly disposed of.
5. Stand over to **25th June 2025**, for recording compliance of the statement made by Mr. Kakade, learned Addl.G.P.
6. All concerned to act on the authenticated copy of this order.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.