

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 2394 OF 2023**

Ankush Gulabrao Kadam ...Petitioner  
*Versus*  
The State of Maharashtra & Anr. ...Respondents

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

Digvijay Ankush Kadam ...Petitioner  
*Versus*  
The State of Maharashtra & Anr. ...Respondents

Mr. Harsh P. Dedhia, Advocate for the Petitioners.

Ms. Nisha Mehra, APP for Respondent Nos.1 & 2/State in WP/2394/2023.

Mr. V.M. Mali, AGP for Respondent Nos.1 & 2/State in WP/2658/2024.

**CORAM : RAVINDRA V. GHUGE  
&  
ASHWIN D. BHOBE, JJ.**

**DATE : 29<sup>th</sup> JANUARY, 2025**

**P.C. :-**

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 20<sup>th</sup> 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 20<sup>th</sup> 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.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)