

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

WRIT PETITION 16128 OF 2023
WITH
INTERIM APPLICATION NO. 150 OF 2025

Kalpana Pralhad Parate ...Petitioner
Versus
State of Maharashtra & Ors. ...Respondents

Mr R. K. Mendadkar, for the Petitioner.
Mr Santosh Mali a/w. Mr. D. R. Kawle, for the Respondent-BMC
Mr N. C. Walimbe, Addl. GP a/w. Smt. P. M. J. Deshpande, AGP for
the Respondent-State

CORAM: SUMAN SHYAM &
M. M. SATHAYE, JJ.

DATED: 24th NOVEMBER, 2025

PC:-

1. The Petitioner is seeking direction to the Respondent No. 2 (Scheduled Tribe Certificate Scrutiny Committee, Nagpur Division, Nagpur) to decide the case of the Petitioner for grant of validity certificate, which is stated to be pending since 2003.
2. Heard Mr. Mendadkar, learned counsel for the Petitioner and Mr. Walimbe, learned Additional Government Pleader, for the Respondent Nos. 1 and 2 (State). None appeared for the Respondent No. 3-Municipal Corporation of Greater Mumbai, despite service.
3. By order dated 08/01/2025 time was granted to obtain necessary instructions about the decision of the committee.

4. Today, learned Additional Government Pleader has placed on record a letter dated 21/11/2025, issued by Joint Commissioner and Vice Chairman, Scheduled Tribe Certificate Scrutiny Committee, Nagpur stating that upon detailed examination of the original records pertaining to Petitioner, it is observed that Petitioner's claim was held to be invalid by the Committee on 15/05/2006; however, no copy of said invalidation order is found available in the original record. The copy of the said letter along with documents attached thereto, are taken on record and marked 'X' for identification.

5. Mr. Mendadkar, learned counsel for the Petitioner states on instructions that the Petitioner will appear before the concerned Committee, within one week from today and prays that the committee be directed to decide the validity afresh.

6. Considering that the invalidation order is not found in the original record, we **dispose of the Petition** by following order :

(A) The order of invalidation dated 15/05/2006 (mentioned in the letter dated 21/11/2025) is quashed and set aside.

(B) Respondent No. 2-Committee is directed to decide the validity of Petitioner's caste claim afresh within 8 weeks from today, on its own merit, in accordance with law, after hearing the Petitioner, by passing a reasoned order. The order that may be passed, shall be communicated to the Petitioner.

(C) We have not expressed any opinion on the merits of the Petition.

(D) Considering that the caste validity itself is under consideration, IA/150/2025 seeking amendment to petition is disposed of in above terms.

7. All concerned to act on duly authenticated or digitally signed copy of this order.

(M. M. SATHAYE, J.)

(SUMAN SHYAM, J.)