

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4077 OF 2025

Shri. Nandkumar Ganesh Shinde,
Indian Inhabitant, Age: 43 years,
Occupation: Self Employed,
Residing at: 1481, Wimco Naka,
Gaondevi Road,
Near Shri Ganesh Xerox Centre,
Ambarnath (W), Thane, 421505
Email shindenandu23@gmail.com
Mobile Number-9322440578

... Petitioner.

V/s.

1. The District Caste Certificate
Scrutiny Committee,
Through its Member Secretary,
Dr. Babasaheb Ambedkar
Samajik Nyaya Bhavan,
3rd Floor, Near Dattawadi Bus Stop,
Kharegaon, Kalva, Thane 400 605.
Email - thanecvc@gmail.com
Phone Number 022-20814447

2. The State of Maharashtra,
Through its Principal Secretary,
Social Justice and Special
Assistance Department,
Mantralaya, Madam Cama Marg,
Hutatma Rajguru Chowk,
Mumbai 400 032.
Respondent Nos. 1 and 2
Through The Government Pleader,
Civil Appellate Side (Writ Cell),
High Court, Mumbai.

... Respondents.

Mr. Ajay S. Pai Asnodkar, Advocate appointed for Petitioner.

Mr. P.P. Kakade, Addl. G.P. a/w. Ms. Priyanka Chavan, AGP for

Respondent/State.

Ms. Gauri Patil, Law Officer, Thane Caste Scrutiny Committee.

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

DATE : 16th DECEMBER, 2025

ORAL JUDGMENT : (*Ravindra V. Ghuge, J*)

1. Rule. Rule made returnable forthwith and heard finally by the consent of the parties.

2. The Petitioner claims to be an employee of a Photocopying Shop. He has meager income. He appears through the learned Advocate appointed by the High Court Legal Aid Services Committee.

3. The issue is that the Respondent No. 1 Committee closed the Petitioner's proceedings for seeking validation of his claim of belonging to the Scheduled Caste Category (Kakkayya-Dhor -18) for the reason that he did not produce certain documents and was said to have remained absent in five consecutive hearings. The communication dated 12.9.2024 which is placed before us is received by the Petitioner only when he applied under the provisions of the RTI Act on 13.1.2025.

4. For the sake of records, we are making a mention of the genealogy tree of the Petitioner. His great grand father is said to be Babaji Gopal Shinde. It is claimed that Babaji had only one son Sadashiv Babaji Shinde. Sadashiv Shinde had four sons and one daughter namely, Shankar, Saraswati, Mahadev, Ganesh (Ganpat) and Vishnu. The Petitioner is a son of Ganesh (Ganpat), who has two biological brothers, Anand and Prashant and a biological sister, Bharati. Anand has received a Validity Certificate from the Committee. The daughter of the Petitioner Shristi has also received validity certificate from the Committee on 9.4.2024. The other biological brother of the Petitioner, Prashant has also received a validity certificate.

5. In view of the above, we direct the Committee to restore the proposal as it is. The Committee would record the fact of the above biological siblings having received the validity certificates including the daughter of the present Petitioner. Considering the law laid down in *Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti vs. The State of Maharashtra and others, Civil Appeal No.2502/2022 decided on 24.03.2023 (AIR 2023 SC 1657)*, the Committee would follow the dictum and also consider the law laid down by this Court in *Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1*

Nagpur (2010(6) Mh.L.J.401).

6. The Committee states before us that the claim of the Petitioner would be adjudicated upon, on or before 15th January, 2026.

7. We would appreciate if the College namely, Priti Law Academy at Murbad, which is is said to be approved by the Bar Council of India, would permit the Petitioner to appear in the college exam without charging the fees for the open category considering that the Petitioner has no means to pay the fees. In the event, the Petitioner is able to generate the funds through his close relatives and pays the fees and subsequently, receives the validity certificate, he would be entitled to reimbursement of the fees as per the Government Policy.

8. With the above directions, **this Petition is disposed off.**

9. The Legal Aid Authority would approve the payment of fees of the learned Advocate for the Petitioner, as per the established procedure.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)