

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10427 OF 2025**

1. Shri Pravin Subhash @
Yashwant Shevare,
Age 40 years, Occupation – Service
Residing at Chandak Plot,
Near Nandgaon Market Yard,
Taluka – Nandgaon, District – Nashik,
Pin – 423 106
2. Shri Dattatraya Subhash @
Yashwant Shevare,
Age 41 years, Occupation – Service
Residing at Chandak Plot,
Near Nandgaon Market Yard,
Taluka – Nandgaon, District – Nashik,
Pin – 423 106

....Petitioners

Versus

1. Caste Scrutiny Committee
Schedule Tribe Certificate Scrutiny
Committee, Nashik – 2, Nashik
2. The State of Maharashtra
Through Deputy Commissioner of
Police,
DCP Office, Zone 1,
1st Floor, Walchand Hirachand
Marg, Near GPO, Fort,
Mumbai – 400 001

And

Through Deputy Commissioner of
Police,
Police Station Matunga,
1st Floor, Near King Circle Station,
Dr. Babasaheb Ambedkar Road,
Matunga (East), Mumbai - 19

....Respondents

Mr. Sugandh Deshmukh a/w. Ms. Karishma Shinde, Mr. Irvin D'souza, Mr. Vaibhav Thorave and Mr. Aniket Kanawade for the Petitioners.

Ms. Leena Patil, 'B' Panel Counsel for Respondent Nos.1 and 2.

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

DATE : 17th NOVEMBER, 2025

ORAL JUDGMENT (PER RAVINDRA V. GHUGE, J.) :

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

2. On 16th September, 2025, we had passed the following order :

1. Leave is granted to correct the description of Respondent No.2 and to rectify the spelling of the word 'Mahadeo' in the Petition. Correction be carried out within one week.

2. Both Petitioners are siblings and are employed with the Police Department. Their claim of belonging to the Koli Mahadev caste has been rejected by a common order dated 19th June, 2025.

Both fear termination from service.

3. Issue notice to the Respondents, returnable on 4th November, 2025. The learned 'B' Panel Counsel waives service of notice on behalf of all the Respondents.

4. Both Petitioners agree to file individual affidavit undertaking to their respective

employers, within 21 days from today, stating that they shall not be entitled to any increments, pay fixation, promotion or other service benefits until their claims are validated by this Court. Only upon filing such affidavits, we direct the employers not to terminate the services of the Petitioners solely on the ground that they do not possess validity certificates.

5. All office objections shall be removed, on or before 9th October 2025, failing which the Petition shall stand dismissed without reference to the Court, on 10th October, 2025.

3. In the light of the above order, both the Petitioners have tendered their affidavit undertakings.

4. We have considered the strenuous submissions of the learned 'B' Panel Counsel, who has opposed this Petition on the ground that a show cause notice has been issued to Balu, son of Gopal Shevare, for reopening his case, after he had been granted a validity certificate. This has been done because the Committee noticed, while dealing with the cases of these two Petitioners (siblings), that their grandfather, Phula Hari Shevare, has an entry of Hindu Koli in his school record. His date of birth is 1st June, 1926. Similarly, the cousin-grandfather of these two Petitioners, namely, Gopal Hari Shevare, has an entry of Hindu Koli in his school record. He was born on 15th November, 1934.

5. We have perused the family tree placed before the Committee, which is at page no.17 in the Petition Paper Book. The oldest recorded entry is with regard to Mohan Shevare (मूळ पुरुष). Hari Mohan Shevare and Sakru Mohan Shevare are the sons of Mohan Shevare. From the branch of Hari Mohan Shevare, Niranjana, son of Govind and grandson of Hari Mohan Shevare, has been granted a validity certificate. Govind is the biological brother of Phula. Hari Mohan Shevare had four biological sons, namely, Phula, Govind, Gopal and Kashinath. Karuna and Yogesh (siblings), are the children of Vishwanath and grandchildren of Phula. They have also been granted validity certificates by the Committee. Archana and Rupali (siblings), are the daughters of Nandu and granddaughters of Gopal. Both have been granted validity certificates by the Committee. Malati, Savita and Khushal are the children of Balu and grandchildren of Gopal. These three have also been granted validity certificates by the Committee.

6. The learned 'B' Panel Counsel submits, on instructions, that Balu, son of Gopal, who has been granted a validity certificate by the Committee, has been issued a show cause notice considering the entries of Hindu Koli. Yashwant Phula Shevare, father of these

Petitioners, has got his name changed from Yashwant to Subhash. Sunil Vishnu Shevare, whose social status from the record indicates Hindu Mahadev Koli, is not found in the family tree produced before the Committee.

7. It is well settled that if close blood relatives from the paternal side are granted validity certificates, the Claimants, who establish their close blood relations from the paternal side, would be covered by *Apoorva d/o. Vinay Nichale v/s. Divisional Caste Certificate Scrutiny Committee No.1 Nagpur*¹. In the event any paternal blood relative, who has already been granted a validity certificate by the Committee, is subjected to reopening of his case, the law laid down in *Shweta Balaji Isankar v/s. The State of Maharashtra and Others*² would be applicable.

8. In view of the above, considering that there are nine validity certificates from the paternal side of these Petitioners, we deem it appropriate to follow the law laid down in *Apoorva Vinay Nichale* (Supra) and *Shweta Balaji Isankar* (Supra).

1. 2010(6) Mh.L.J. 401 : AIR 2010(6) Bom.R.21

2. 2018 SCC Online Bom 10363

9. **This Petition is partly allowed.**

10. The impugned order dated 19th June, 2025 stands quashed and set aside. The competent Committee shall issue the Koli Mahadev Scheduled Tribe validity certificates to these two Petitioners, conditionally, within a period of 30 days from today. Needless to state, if any of those blood relatives on whom these two Petitioners have placed reliance for seeking validity certificates, suffer invalidation after reopening of their cases, the consequences suffered by such candidates would also be suffered by these two Petitioners, and they would also be subjected to the same procedure.

11. **Rule is made partly absolute in the above terms.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)