



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2090 OF 2023

Gajanan s/o Gosai Kohale

Vs.

The Scheduled Tribe Caste Certificate Scrutiny Committee, through its Member Secretary
and Deputy Director, Yavatmal and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri A.S. Dabadghao and P.C. Malviya, Advocates for petitioner.
Ms Sangeeta Jachak, Addl.G.P. for respondents.

CORAM : SMT. M.S. JAWALKAR & M.W. CHANDWANI, JJ.

DATE : 23.12.2025.

The petition challenges the order dated 08.08.2022 passed by the respondent no.2-Sub-Divisional Officer, Wani, District Yavatmal whereby, the application for issuance of caste certificate has been refused on the ground that the documents prior to the date on which the caste "Gond Gowari" was included in the Constitution (Scheduled Tribes) Order, 1950 have not been submitted. The said order also came to be challenged before the respondent no.1 – Committee by way of appeal which was also dismissed by the impugned order dated 22.12.2022.

2. Having heard the learned counsel for the petitioner as well as learned Additional Government Pleader for respondents and having gone through the impugned orders passed by both the authorities, we are of the opinion that the petition can be allowed for the reason that there is no such law that for issuing caste certificate, the applicant has to show documents prior to

the date on which the caste was included in the Constitution (Scheduled Tribes) Order, 1950.

3. Perusal of the impugned orders reveals that the Sub-Divisional Officer has treated the application as a claim for caste validation of the petitioner and rejected the same for the reasons mentioned above, ignoring the fact that the petitioner who was acting on behalf of the beneficiaries, was already holding a caste certificate.

4. Likewise, the respondent no.1 – Committee while sitting in appeal, treated the appeal as a proposal for validation of caste claim of the petitioner. All the criterias which are to be applied while validating a caste claim have been applied in a case of issuance of caste certificate. Therefore, we find that orders impugned do not sustain in the eyes of law. Hence, the petitioner who is the father of the beneficiaries on whose behalf the application has been filed before the Sub-Divisional Officer has produced the caste certificate alongwith other documents, i.e. post 1950 documents showing the caste of the beneficiaries and their relatives including the petitioner as “Gond Gowari” and therefore, the Sub-Divisional Officer should not have rejected the claim. Therefore, we set aside the order impugned dated 22.12.2022 passed by the respondent no.1 – Scheduled Tribe Caste Certificate Scrutiny Committee, Yavatmal in Case No.स.आ./अ.ज.प्र.त.स.यवत/अपील/8/29/ 2022 as well as the order dated 08.08.2022 passed by the respondent no.2 – Sub-Divisional Officer, Wani and direct the respondent no.2 to issue caste

certificate in the name of the beneficiaries, within four weeks from the receipt of this order.

5. Needless to mention that, allowing this petition does not amount to validation of the caste claim. If the beneficiaries wish to take any benefits, they have to get their claim validated as per the procedure established under the Act.

6. With this direction, the petition stands disposed of.

(M.W. CHANDWANI, J.)

(SMT. M.S. JAWALKAR, J.)

Wagh