



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

WRIT PETITION NO.3917 OF 2025

Grishma Dharmendra Firangi,
Aged about 19 years, Occu: Student,
R/o Plot NO.41, barde Layout, Near
Sai Mandir, Borgaon, Gorewada Road,
Nagpur.**PETITIONER**

...V E R S U S...

1. District Caste Certificate Scrutiny
Committee, Akola, Tah. and Dist.
Akola, Through its Research Officer
and Member Secretary.

Respondent Nos.2
added as per Court's
order dated
04.09.2025.

2. Maharashtra State Common Entrance
Test Cell, 8th Floor, New Excelsior Building,
A.K. Nayak Marg, Fort, Mumbai-400001,
Through its Commissioner.

Respondent Nos.3
added as per Court's
order dated
14.10.2025.

3. Gurunanak Institute of Engineering
and Technology, Dahegaon,
Kalmeshwar Road, Nagpur,
District Nagpur, through its Principal.

...**RESPONDENTS**

Shri Ram Karode, Advocate for petitioner.
Ms Sangita Jachak, Addl. G.P. for respondent no.1/State.

CORAM : SMT. M.S. JAWALKAR & M.W. CHANDWANI, JJ.
DATE : 16.12.2025

ORAL JUDGMENT : (Per : M.W. Chandwani, J.)

1. **Rule.** Rule made returnable forthwith. Heard finally
with the consent of both the parties.

2. The caste claim of the petitioner who claims to be belonging to “Telangi” (Nomadic Tribe-C) came to be invalidated by order dated 06.05.2025 by the respondent no.1 – District Caste Certificate Scrutiny Committee, Akola (for short “**Committee**”) mainly on the ground that the petitioner is not engaged in the profession of animal husbandry.

3. The petitioner is a student and secured admission in the respondent no.3 – College on a seat reserved for the Nomadic Tribe-C category. Her caste claim of “Telangi” (Nomadic Tribe-C) was forwarded to the respondent no.1 – Committee through Principal, Dr. Ambedkar Mahavidyaalaya, Dikshabhumi, Nagpur for verification. The petitioner produced almost 13 documents belonging to herself and her forefathers showing their caste as “Telangi” (Nomadic Tribe-C). The oldest document is the school leaving certificate of the grandfather of the petitioner namely Krushnadhhar Narsanna Firangi dated 08.07.1927 showing his caste as “Telangi”. The record reveals that the real brother of the petitioner has been granted validity certificate by the very same Committee; however, the said document was ignored only on the ground that before issuing the validity certificate to brother of the petitioner, the vigilance enquiry was not conducted.

4. The finding of respondent no.1-Committee also reveals that the Committee is of the opinion that since the forefathers of the petitioner are not indulged in the profession of animal husbandry; therefore, they do not come under Nomadic Tribes.

5. We find that inspite of the fact that the real brother of the petitioner was issued validity certificate by the very same committee, the said document was erroneously ignored on flimsy grounds that vigilance enquiry was not conducted in the case of the brother of the petitioner.

6. It is to be noted here that, if the committee has some doubt in its mind with regard to the caste claim of an applicant who applies for validation, it can refer the caste claim of the said applicant to the Vigilance Cell under Rule 16 of the Maharashtra Scheduled Castes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Rules, 2012.

7. Having found that the case of the real brother of the petitioner was not sent for vigilance enquiry, we are of the opinion that the Committee did not doubt his claim at the relevant time

and granted validity certificate after being satisfied with the documents on record. Hence, the reason mentioned by the Committee while discarding the claim of the petitioner as well as doubting the caste validity granted to the brother of the petitioner is without reason.

8. That apart, perusal of the Vigilance Cell report shows that the profession of the forefathers of the petitioner is mentioned as 'Animal Husbandry'. Therefore, the findings recorded by the Committee that the forefathers of the petitioner were not practicing the profession of animal husbandry are contrary to the evidence on record and hence, they do not stand to the reason.

9. Moreover, it is now settled by the decision of *Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and others*¹ wherein, the Supreme Court has held that affinity test is not a litmus test to decide whether a particular person belongs to a particular caste. Therefore, the findings of the respondent no.1-Committee are not only against the mandate of the decision in the case of *Maharashtra Adiwasi* (supra) but also contrary to the record. Therefore, the impugned order passed by the respondent no.1 – Committee invalidating the caste claim of the petitioner does not stand to the reason. Hence, we pass the

¹ (2023) 16 SCC 415

following order:

10. The writ petition is allowed.

11. The impugned order dated 06.05.2025 passed by the respondent no.1 – District Caste Certificate Scrutiny Committee, Akola in Case No. ED-2024-1575891 is hereby quashed and set aside.

12. It is hereby declared that the petitioner belongs to “Telangi” (Nomadic Tribe – C).

13. The respondent no.1 – District Caste Certificate Scrutiny Committee, Akola is directed to issue Validity Certificate to the petitioner within two months from the date of receipt of this order.

14. Rule is made absolute in the abovesaid terms. No order as to costs.

(M.W. CHANDWANI, J.)

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

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