



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

WRIT PETITION NO. 5545 OF 2022

PETITIONER:

Lilesh S/o Ramesh Daddamwar, Aged about 22 yrs., Occu.: Student, R/o Ward No.14, Near Shakil Bakery, Barar Chowk, Parseoni, Distt. Nagpur. (Dead) through LR's

(I) Ramesh S/o Vitthalrao Daddamwar – Father, Aged 58,

(II) Babi W/o Ramesh Daddamwar – Mother, Aged 59,
Both R/o Ward No.14, Near Shakil Bakery, Barar Chowk, Parseoni, Distt. Nagpur.

-Versus-

RESPONDENT:

The Vice-Chairman / Member Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur.

Ms Preeti Rane, Adv. for the petitioner.
Mr.A.S.Fulzele, Addl.GP for the respondent-State.

**CORAM : MRS. M. S. JAWALKAR AND
M.W.CHANDWANI, JJ.**

DATE ON RESERVING THE JUDGMENT : 08.12.2025.
DATE ON PRONOUNCING THE JUDGMENT : 18.12.2025

JUDGMENT : (Per – Smt. M.S.Jawalkar, J.)

Heard.

2. **Rule.** Rule made returnable forthwith. Heard finally with the consent of the learned counsel for the parties.

3. The petitioner by this petition challenges the order dated 04/08/2022, passed by the respondent-Scrutiny Committee, invalidating the caste claim of the petitioner of belonging to Mana Scheduled Tribe.

4. The brief facts of the case are that the petitioner forwarded the proposal to the respondent-Committee for verification of his caste claim of belonging to “Mana” Scheduled Tribe and had filed several documents before the Committee in which two documents of the year 1917 and 1934 were of pre-independence era. After the Vigilance Cell submitted its report on 11/08/2021, the petitioner had submitted his reply dated 24/05/2022 and stated that there are pre-constitutional documents and validity certificate in respect of his blood relatives and the same have great probative value.

5. The documents placed on record by the petitioner are enlisted as under:

Sr. No.	Document Type	Name of the person	Relation with the petitioner	Caste	Date/Period
1.	Birth Extract	Goma Mana begotten male child	Great great grandfather	Mana	1917
2.	School Record	Shriram Rajaram	Cuosin Grandfather	Mani	1934 (Birth date)

3.	Tax Assessment	Rajeram Goma	Great Grandfather	Mani	1948-49
4.	School record	Anandrao Rajaram	Cousin Grandfather	Mani	1953
5.	School Record	Liladhar Rajaram Daddamwar	Cousin Grandfather	Mani	1955
6.	School Record	Anandrao Rajaram Daddamwar	Cousin Grandfather	Mani	1960
7.	School Record	Ramesh Vitthalrao Daddamwar	Father	Mana	1982
8.	School Record	Nilesh Ramesh Daddamwar	Petitioner	Mana	2003

6. After considering the documents filed by the petitioner and the report submitted by the Vigilance Cell, the respondent-Committee rejected the oldest document of the year 1917 in respect of the great great grandfather of the petitioner for the reason that the said document is found to be in torn condition due to continuous handling of the same. The petitioner submitted that he possessed the said document and if required, he will produce the same. The respondent-Committee also rejected the said document of the year 1917 on the ground that the same is obtained by one Nagose in the year 2006 and that he did not belong to the petitioner's family. The petitioner further submitted that the document of 1917 was obtained

by the petitioner's cousin uncle Dhanraj Shriram Daddamwar, as he desired to contest the election of Gram Panchayat at the relevant time. The validity certificate of blood relative relied on by the petitioner, but the same was not considered by the respondent-Committee. The petitioner submitted that he has completed his education in B.Sc. and wished to pursue further education in MBA course. Therefore, the petitioner prayed for quashing and setting aside the impugned order dated 04/08/2022, passed by the respondent-Committee, invalidating the caste claim of the petitioner on the ground of documentary evidence, affinity and area restriction. It is pertinent to note here that during pendency of the petition, the petitioner expired on 09/12/2024 and his parents were brought on record as per this Court's order dated 29/09/2025.

7. The petitioner relied on the following citations:

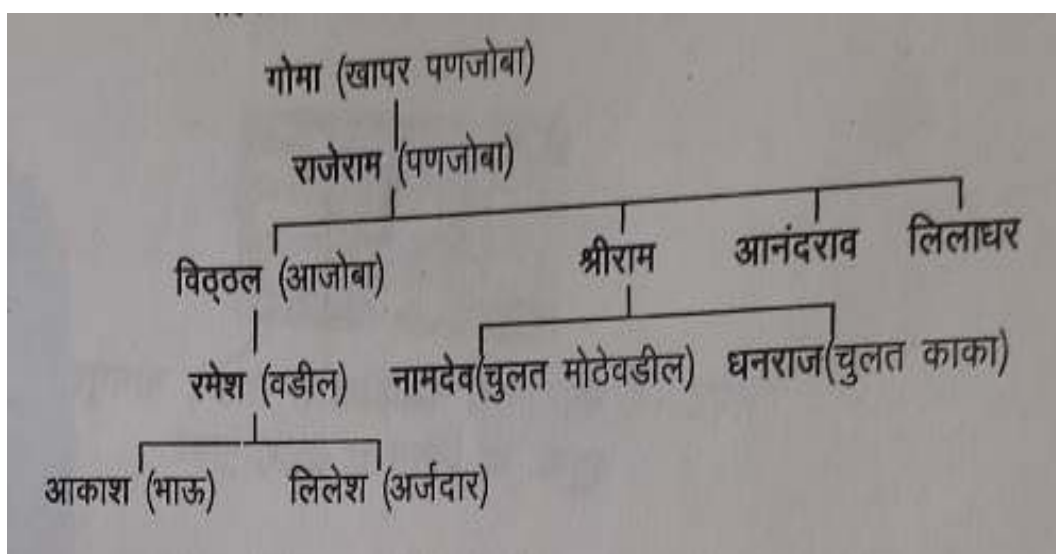
- (i) **Maharashtra Adiwasi Thakur Jamat Swrakshan Samiti v. State of Maharashtra and others, 2023 (2) Mh.L.J. 785.**
- (ii) **Nalini wd/o Shravan Jivtode v. The Vice-Chairman/Member/Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee, Gadchiroli and another (Writ Petition No.2966/2020, decision dated 28/07/2022).**
- (iii) **Pravin s/o Madhukar Suryawanshi and another v. The Vice-Chairman/Member-Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee and others (Writ Petition No.5891/2022, decision dated 12/12/2022).**

- (iv) **Vijaykumar s/o Laxmanrao Gahlot v. The Joint Commissioner & Member, District Caste Certificate Scrutiny Committee, Wardha and another (Writ Petition No.6073/2024, decision dated 10/10/2024).**
- (v) **Bhaves Gajendrakumar Rannaware v. The Vice-Chairman/Member Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur (Writ Petition No.2189/2024, decision dated 08/05/2025).**
- (vi) **Bharat Nagu Garud v. State of Maharashtra, 2024 (1) Mh.L.J. 647.**
- (vii) **Sakshi d/o Govindrao Narnaware v. Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur, 2025(1) Mh.L.J. 327.**
- (viii) **Stay order of Hon'ble Supreme Court dated 11/08/2025 in Sakshi v. The Scheduled Tribe Caste Scrutiny Committee in Petition for Special Leave to Appeal (C) No.9076/2025.**
- (ix) **GR dated 06/10/2006.**

8. *Per contra*, the learned AGP submitted that the caste claim of the petitioner was rightly invalidated by the respondent-Committee for the reason that there is no documentary evidence, the petitioner failed in affinity test and area restriction. The learned AGP submitted that the document of the year 1917 relied on by the petitioner found to be obtained by fraud and no validity certificate was issued in favour of the blood relatives of the petitioner. The learned AGP submitted that the impugned order passed by the respondent-Committee is just and reasonable and no interference is required at the hands of this Court.

9. Heard the learned counsel for the parties at length, examined the documents and authorities relied upon by their respective counsel.

10. For the sake of convenience, the family tree is reproduced as under:



11. The petitioner relied on the document of 1917 in respect of Goma Mana. Except this document of 1917, all other pre-independence documents showing the caste of the petitioner and his forefathers as “Mani”. The entire dispute revolves around this document of 1917. The petitioner in response to the show cause notice submitted that the document pertaining to 1917 in respect of Goma Mana shown as son born to Goma, is obtained by cousin uncle of the petitioner one Dhanraj Shriram Daddamwar, as he was elected in gram panchayat election from the post reserved for Scheduled

Tribe. Therefore, he has applied for certified copy of the said document on 31/05/2006. Except that document, the documents of 1934, 1948, 1953 and 1955 are showing the caste as “Mani”. So far as this document is concerned, though number of application for certified copy matches with the certified copy of the document, however, name against the said serial number is different. We have called the record from the office of Collector. After perusal of original record also, against the Sr.No.2333/2006, the applicant’s name is mentioned as Rajeram Nagose. Moreover, there are no further details of Goma to whom the petitioner claimed as his ancestor. In spite of granting ample opportunity, the learned counsel for the petitioner could not explain the fact as to who is Rajeram Nagose. Thus, this document of Goma is not established that of Goma in the family tree of the petitioner. Thus, it appears that the petitioner wants to use the certified copy obtained by one Rajeram Nagose about Goma Mana, who is a family member of Rajeram Nagose. Though it is a certified copy of the extract of 1917, it is not established that it was of the same Goma from the family of the petitioner. The Vigilance Cell also procured some documents including the document of 1934, showing Shriram Rajeram as Mani. Thus, except the document of 1917, which is also not duly established that it pertained to Goma from the petitioner’s family, all other documents prior to 1950 are showing the

caste as “Mani”. As such, we cannot hold that the petitioner has duly established that he belonged to Mana Scheduled Tribe.

12. The learned counsel for the petitioner relied on the judgment in **Maharashtra Adiwasi Thakur Jamat Swrakshan Samiti v. State of Maharashtra and others** (*supra*) in support of her contention that the Scrutiny Committee gave much importance to the document obtained by Vigilance Cell. However, in our considered opinion, the Scrutiny Committee has given due weightage to all the documents as discussed above. There is only one document prior to 1950 pertaining to one Goma Mana, however, he did not establish that the said Goma is the same Goma from the family of the petitioner.

13. It appears that there are three validity certificates issued in the family, one is in respect of father-Ramesh Vitthalrao Daddamwar, second is in respect of brother of the petitioner Akash Ramesh Daddamwar and third one of cousin uncle of the petitioner Dhanraj Shriram Daddamwar. All these three validity certificates were issued after the judgment in Civil Appeal No.5270 of 2004 by the Hon’ble Supreme Court. However, admittedly there is no vigilance enquiry conducted while issuing these three validity certificates. In all these validity certificates there is an endorsement that Committee held them as valid, as per Hon’ble Supreme Court’s

decision in Civil Appeal No.5270 of 2004. However, admittedly, there is no vigilance enquiry conducted, nor anything placed on record on the basis of which such validity certificates were issued. All the documents produced by the petitioner are showing the caste as 'Mani' and the only document of 1917 on which the petitioner has relied is showing the caste as 'Mana'. However, the person mentioned in the document of 1917 in our considered opinion, is not belonging to the family of the petitioner. There is no other document supporting the document of 1917. Considering all these contra entries, we deem it proper to remit the matter back to the respondent Scrutiny Committee to verify the document of 1917 as well as the documents placed by the father, brother and cousin uncle of the petitioner when validity certificates were issued in their favour. The Scrutiny Committee to follow the procedure while taking any decision about the father, brother and cousin uncle's validity certificates. Since the matter is to remit back to the Scrutiny Committee, the other citations relied on by the petitioner are not discussed. In view of above discussion, we pass the following order.

14. The petition is partly allowed.

15. The matter is remitted back to the respondent Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur for deciding the matter afresh.

16. Since the petitioner is dead, the parents of the petitioner i.e. petitioner (I) and (II) to appear before the respondent-Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur on 05/01/2026.

17. The respondent Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur to take decision within three months thereafter.

18. The respondent- Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur may inquire afresh with regard to the relatives of the petitioner holding validity certificates, if required.

19. The record and proceedings be returned immediately.

20. Rule made accordingly. No costs.

(M.W.CHANDWANI, J.)

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