



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

WRIT PETITION NO. 7612 OF 2022

Mohitkumar Harishkumar Ahuja,
Aged about 27 years, Occ.- Service,
R/o. Plot No.62, Nagraare House,
Ground Floor, Bhim Chowk, Lane No.4,
Misal Layout, Jaripatka, Nagpur.

.... **PETITIONER**

// **VERSUS** //

District Caste Scrutiny Committee,
Wardha, through its Chairman.

.... **RESPONDENT**

Mr. Abdul Subhan, Advocate for the Petitioner.
Ms. Prachi Joshi, Assistant Government Pleader for the
Respondent.

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

DATE : 25th NOVEMBER, 2025.

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

1. Heard learned Counsel for the Petitioner and learned
Assistant Government Pleader for the Respondent.

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

3. By this Petition, the Petitioner is challenging the order dated 23.08.2022, passed by the Respondent – District Caste Scrutiny Committee, Wardha thereby caste claim of the Petitioner belonging to ‘Khatri’ which is recognized as Other Backward Class at Serial No. 126 as per the Government Resolution dated 25.06.2008, is invalidated.

4. It is the contention of the Petitioner that there are as many as six documents prior to cut off date i.e. 13.10.1967. There are two validities placed on record by the Petitioner, one of his real brother namely Shri Avinash Harish Ahuja and one of his cousin brother of paternal side namely Shri Gaurav Parasram Ahuja (page 25 and 26 of the petition).

5. The learned Counsel for the Petitioner placed reliance on the Judgment of this Court passed in ***Writ Petition No. 7243/2023*** (*Chaitali D/o Ratankumar Madan Vs. The Chairman, District Caste Certificate Scrutiny Committee, Nagpur*) dated 14th November, 2025 and submitted that the Petitioner does not belong to “Patkar” caste but the contention is that the entry in the list of Other Backward Class shown as “Khatri” as an independent caste and not a sub-caste of “Patkar”.

6. In the ***Writ Petition No. 7243/2023*** (supra), this Court relied on the Judgment of this Court passed in ***Pranjali Girdhari Baisani Vs. District Caste Scrutiny Committee and others*** in ***Writ Petition No.1937 of 2019***, wherein in para 9 held as under :

“9. In the above backdrop, it is necessary to consider as whether the Committee was justified in treating entry “Kshatriya” sub-caste of “Patkar, Somvanshiya Sahastrajun Kshatriya”. From the reading of Notification dated 26.09.2008 and Government Resolution dated 25.06.2008, it is clear that entry “Kshatriya” was added as an independent entry at Sr. No. 126 preceded by “comma”. The question as to whether the entry in the Government Resolution Notification can be interpreted based on other material is no longer res-integra in view of the two judgments of this Court.”

7. In the ***Writ Petition No. 7243/2023*** (supra), this Court also placed reliance on the Judgment of ***Vasant Pandurang Narwade Vs. State of Maharashtra and others***, reported in ***2002 (1) Mh.LR. 812***. Similar other citations are also relied on by this Court and held that :

“9. caste ‘Kshatriya’ which has been included along with other caste ‘Khatri’ at Serial No. 126 of the list of Other Backward Class is not a sub-caste of ‘Patkar’. Since, the claim of the petitioner with regard to ‘Khatri’ is based on the similar lines as that of ‘Kshatriya’ which is included in the list of Other Backward Class along with ‘Khatri’ by the same notification, there is no reason for us to take a

different view that 'Khatri' which was included in the list of Other Backward Class as per the Notification dated 26.09.2008 at Entry No.126 along with other castes "Patkar, Somwanshiya, Sahastrarjun Kshatriya, Pategar, Pattegar, Kshatriya Patkar, Khatri, Kshatriya", cannot be treated as a sub-caste of 'Patkar'.

10. In wake of the decision of this Court in Pranjali Girdhari Baisani (supra), we are of the considered view that the finding recorded by the Committee is contrary to Entry No. 126 of the Other Backward Class included in Government Resolution dated 25.06.2008 published in Notification dated 26.09.2008. Therefore, the impugned order of invalidation of the caste claim of the petitioner passed by the Committee is required to be set aside."

8. The learned Assistant Government Pleader Ms. Prachi Joshi has fairly conceded that present petition is covered by the Judgment passed by this Court in **Writ Petition No. 7243/2023** (supra). Thus, the order passed by the Caste Scrutiny Committee is patently erroneous, perverse and liable to be set aside.

9. Accordingly, we proceed to pass following order :

- (i) The Writ Petition is allowed.
- (ii) The impugned order dated 23/08/2022, passed in case No. डब्लूआर/ई.डी.-2/519458/2022, passed by the Respondent District Caste Scrutiny Committee, Wardha is hereby quashed and set aside.

(iii) It is declared that the Petitioner duly established that he belongs to “Khatri” Scheduled Tribe.

(iv) The Respondent District Caste Scrutiny Committee, Wardha is hereby directed to issue the validity certificates of “**Khatri**” Other Backward Class to the Petitioner within a period of three weeks from the receipt of the order of this Court.

10. Rule is made absolute in the above terms. No order as to costs. Pending application(s), if any, stand(s) disposed of.

(M.W. CHANDWANI, J.)

(M.S. JAWALKAR, J.)

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