



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

WRIT PETITION NO.463/2018

Varsha d/o Madhukar Koli Vs. The District Caste Certificate Committee, Akola.

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

Court's or Judge's order

Mr. N.B.Kalwaghe, Advocate for petitioner
Ms. Kalyani Marpakwar, AGP for respondent no.1.

CORAM : NITIN W. SAMBRE & SACHIN S. DESHMUKH, JJ.
DATE : JUNE 18, 2025.

1. Heard.
2. The real sister Ku. Kavita Madhukar Koli of the petitioner was granted validity on 26th October 1999 whereas real brother Arvind Madhukar Koli on 5th August, 1999. Similarly, the mother Smt.Kandi Manikrao Waghmare was also granted validity. In such an eventuality, the view expressed by the Committee that the petitioner is not entitled for issuance of validity cannot be justified having regard to be law laid down by the Division Bench of this Court in the matter of **Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny and others (2010 (6) Mh.L.J. 401)**. As such, as the blood relations i.e. mother, brother and sister are holding validity, we deem it appropriate to quash and set aside the impugned order dated 6th March, 2017.
3. Rightly so pointed by Mr. Kalwaghe, learned counsel for the petitioner, that even though the aforesaid validity is to the blood relations were issued before the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 came into existence, still it was for the respondent-Committee to initiate the proceedings for cancellation of the validity issued in favour of the aforesaid blood relations which they have failed to. As a sequel of

aforesaid conduct of the Committee of not taking out proceedings for cancelling the validity issued in favour of the blood relations, the only option left with this Court is rely and accept the said validity.

4. We declare that the petitioner belongs to "Mahar-Scheduled Caste" and validity be issued in favour of the petitioner within a period of four weeks from today.

5. The petition stands allowed in the above terms. No costs.

(SACHIN S. DESHMUKH, J.)

(NITIN W.SAMBRE, J.)

Mukund Ambulkar