



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

**WRIT PETITION NO. 1640 OF 2024**

**PETITIONER**

: Mahesh S/o Santosh Ingle,  
Age 18 years, Occu. Student,  
R/o Gowardhan, Tq. Risod, Dist. Washim.

**VERSUS**

**RESPONDENTS**

: 1] Vice Chairman / Jt. Commissioner,  
Scheduled Tribe Caste Certificate Scrutiny  
Committee, Amravati Division,  
Old By Pass Road, Chaprashipura, Amravati

*(Deleted as per  
Court's Order dtd.  
16.09.2025)*

2] ~~Shri Shivaji Education Society, Amravati's  
College of Engineering and Technology,  
Akola, Through its Principal~~ ***(Deleted)***

*(Amended as per  
Court's order dated  
25.07.25)*

3] Government Industrial Training Institute,  
Through its Principal,  
Washim, Tq. Washim, Dist. Washim.

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Mr. R. S. Suryawanshi, Advocate for the petitioner  
Mr. J. Y. Ghurde, A.G.P. for respondent no.1  
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**CORAM : SMT. M. S. JAWALKAR and**  
**M. W. CHANDWANI, JJ.**  
**DATE : DECEMBER 15, 2025.**

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

1. **RULE.** Rule made returnable forthwith. Heard finally By  
the consent of the learned counsels appearing for the parties.

2. By this petition, the petitioner challenges the order dated 25.08.2023 passed by respondent no.1 – The Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati (hereinafter referred to as “the Committee”), thereby invalidating the caste claim of the petitioner that he belongs to “Thakur” (Scheduled Tribe).

3. The petitioner claims to be belonging to “Thakur” (Scheduled Tribe), which is recognized at Sr. No. 44 of the List of Scheduled Tribes under the Constitution (Scheduled Tribes) Order, 1950. The petitioner is a student who wants to pursue education and intends to avail the benefits available to a candidate belonging to Scheduled Tribes. Therefore, after obtaining Caste Certificate from the Sub Divisional Officer, Washim, the petitioner’s claim was forwarded by the Principal, Renuka Mata Vidyalaya and Junior College, Washim to the Committee for verification of the caste claim. The petitioner produced all requisite documents since 1927, along with the caste claim pertaining to himself and his forefathers showing their caste as “Thakur” (Scheduled Tribe).

4. The Committee forwarded all the documents to the Vigilance Cell for enquiry. The Vigilance Cell conducted an enquiry

and submitted its report dated 22.08.2023. The petitioner had produced the oldest document dated 05.08.1927 which is a Birth Register extract pertaining to the birth of a son to the great great-grandfather of the petitioner namely Bankat Thakur in which, the caste has been mentioned as “Thakur”. The Committee discarded the said document on the ground that the petitioner failed to establish as to how he is related to the person whose birth entry it is. During enquiry, the Vigilance Cell also found one document dated 07.01.1931 which is the extract of school record pertaining to the great-grandfather of the petitioner namely Babu Bankat. The Committee discarded the said document on the ground that it shows the entry as “Hindu” in the caste column. Another ground for rejection of the caste claim of the petitioner is that some of his ancestors/relatives in their sale deeds have written that the transaction is not between tribals, thereby indicating that they are not Scheduled Tribes. Further, the Committee chose not to rely on the oldest/pre-constitutional documents and by the impugned order, invalidated the caste claim of the petitioner.

4. We have heard Mr. R. S. Suryawanshi, learned counsel appearing for the petitioner and Mr. J. Y. Ghurde, learned Assistant

Government Pleader appearing for the respondent no.1 – Committee.  
We have gone through the record and proceedings and the impugned order.

5. The learned counsel appearing for the petitioner placed reliance on the decision of the Coordinate Bench of this Court (Nagpur Bench) in the case of ***Shivani D/o Bhika Ingle vs. Scheduled Tribe Caste Certificate Scrutiny Committee, Yawatmal and others*** in ***Writ Petition No. 224 of 2025***, decided on 05.08.2025. The petitioner in the above petition is the cousin sister of the present petitioner. With the able assistance of the learned counsels for the parties, we have gone through the above judgment wherein, the document of the year 1927 has been considered by this Court and it was observed that the Committee has erroneously ignored this document on flimsy grounds. The relevant observations are reproduced here under :-

*“13. On perusal of the record, it is seen that the petitioner has relied on the pre-independence documents like the school record of cousin uncle Keshao Bankat of 05.04.1933 and school record of the grandfather Hari Namdeo of 20.06.1949, the birth record of a male child on 05.08.1927 relating to great great-grandfather Bankat Thakur and birth record of a male child of same person on 20.04.1914. Though said documents were provided by the petitioner, the said documents are rejected merely on*

*the ground that though birth registers of the male child born to great great-grandfather Bankat Thakur in 1927 and 1944 are produced but other documents in support of the same like school record or the other documents are not provided and, therefore, said documents are not considered. The documents pertaining to caste Thakur is not denied, however, acquirement of supporting documents is not correct to discard said documents.”*

6. We are also of the opinion that merely because the name of the child is not mentioned in the birth register extract of the year 1927, it cannot be ignored. It has been clearly mentioned in the document that a son was born to Bankat Thakur, the great-great-grandfather of the petitioner wherein the caste shown is “Thakur” (Scheduled Tribe). So far as the document of the year 1931 is concerned in which the caste column shows the entry as “Hindu”, we are of the opinion that “Hindu” is a religion and not a caste. Therefore, it cannot be treated as a contra entry. The last ground on which the caste claim of the petitioner is rejected is that between the years 1996 and 2004, the ancestors/relatives of the petitioner have sold their agricultural lands by executing sale deeds and stated in the transaction that it was not between tribals, which proves that the petitioner’s ancestors/relatives are not from tribal community. It is submitted that the ancestors/relatives of the petitioner were illiterate

and they were unaware that the agricultural land of a tribal cannot be sold to a person who does not belong to the said tribe.

7. The documents dated 05.08.1927, 11.07.1955, 05.07.1979 pertaining to the great-great grandfather, grandfather and father of the petitioner, respectively show the consistent entry of “Thakur” (Scheduled Tribe) and those are not considered by the Committee. Therefore, in view of the settled law, the oldest document which has more probative value can safely be relied upon. The Committee has failed to consider the old documents and passed the erroneous order. Therefore, we are of the opinion that the impugned order does not stand to the reason.

8. Accordingly, the writ petition is allowed.

(i) The order dated 25.08.2023 passed by respondent no.1 – The Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati in Case No. 11/502/Edu/022023/4807, is quashed and set aside.

(ii) It is declared that the petitioner belongs to “Thakur” (Scheduled Tribe).

(iii) The respondent no.1 – The Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati is directed to issue the

Validity Certificate in favour of the petitioner within two months from the date of receipt of this order.

9. Rule is made absolute in the aforesaid terms. The writ petition stands disposed of. No order as to the costs.

(M.W.CHANDWANI, J.)

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

*Diwale*