



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

**WRIT PETITION NO. 3350 OF 2025**

Ritiksha Dilip Musaddiwar,  
Aged about 20 years, Occ. Student  
R/o. At + Post Usegaon, Ta. Saoli,  
District Chandrapur, Maharashtra.

... **PETITIONER**

**// VERSUS //**

District Caste Certificate Scrutiny Committee,  
Through its Member Secretary,  
Office at Social Justice and Special Assistance  
Department, Milk Dairy Road,  
Chandrapur-442402.

... **RESPONDENT**

-----  
Shri Siddesh Deshmukh, Advocate for petitioner.  
Ms. Hemlata Jaipurkar, AGP for respondent.  
-----

**CORAM :- SMT. M. S. JAWALKAR &  
M. W. CHANDWANI, JJ.**

**DATED :- 24.11.2025**

**ORAL JUDGMENT (PER: M. W. CHANDWANI, J.):-**

Heard.

2.           **Rule.** Rule made returnable forthwith. Heard finally by consent of the learned counsels for the parties.

3.           The petition challenges rejection of the caste validation claim of the petitioner who claims to be belonging to 'Zade' which falls

under Nomadic Tribe- C (NT-C) category by respondent no. 1- District Caste Certificate Scrutiny Committee, Chandrapur (for short, “the Committee”) on the ground that the documents submitted by the petitioner mention her as well as the caste of her relatives only as ‘Zade’ and not as ‘Dhangar-Zade’. According to the Committee, ‘Zade’ is a sub-caste of ‘Dhangar’ in wake of Government Resolution (GR) dated 18.04.1986. The Committee invalidated the caste claim for the reason that the petitioner failed to submit the documents showing her caste as ‘Dhangar-Zade’.

4. One more interesting aspect of the case is that the petitioner has relied upon the validation of the caste claim of her cousin brother- Jitendra Musaddiwar. The Committee confiscated the validity certificate of her cousin brother. A show-cause notice came to be issued and his certificate has been cancelled by a separate order passed by the Committee. Notably, her cousin brother has also challenged cancellation of his validity certificate in Writ Petition No. 5331/2024; however, this Court, by its order dated 24.11.2025, has set aside the order of invalidation passed by the Committee.

5. Be that as it may, the issue in this case revolves around GR dated 18.04.1986. Needless to mention that on 21.11.1961, ‘Dhangar’ was included in the NT-C category and by the same GR, other castes

were also included at Sr. no. 29 along with 'Dhangar' showing them as 'Tatsum Jaat' i.e. similar castes. In the said GR, nowhere the caste 'Zade' was shown as a sub-caste of 'Dhangar'; rather, the word used is 'Tatsum Caste'. Hence, it appears to us that the caste 'Zade' has been included in the NT-C category by GR dated 18.04.1986 in addition to 'Dhangar' and not as a sub-caste of 'Dhangar'. The entry in the list has to be read as it is.

6. A reference can be made to the decision of the Division Bench of this Court in the case of ***Akshay Santosh Gandhi Vs. State of Maharashtra and others, reported in 2018 (2) Mh.L.J. 693***, wherein in paragraph no. 6 and in particular in the last four lines, it has been held as under:-

*"6. .... An entry in the list of SC, ST/OBC has to be read as it is and it is settled position of law that the Presidential Notification identifying the said SC/ST or the Notifications issued by the State Government in relation to "other backward class" are not susceptible of any interpretation and it is not permissible for the Courts to add or delete any of these entries."*

7. In addition to that, a reference can also be made to the decision of the Apex Court in the case of ***State of Maharashtra and others Vs. Mana Adim Jamat Mandal, [(2006) 4 SCC 98]***, in paragraph no. 30 has held as under :-

*30. The common pattern found in most of the group entries is that there is a punctuation mark comma (,) between one entry and another entry in the group signifying that each one of them is deemed to be a separate Scheduled Tribe by itself. In*

*the present case, Entry 18 of the Schedule clearly signifies that each of the tribe mentioned therein is deemed to be a separate tribe by itself and not a sub-tribe of "Gond". "Gond" is a Scheduled Tribe, it is not disputed. As already noticed that "Gond" including Arakh or Arrakh, etc. found in Entry 12 of the Amendment Act 63 of 1956 has been done away with by the Amendment Act of 1976. In Entry 18 of the Second Schedule of the Amendment Act of 1976 the word "including" was deliberately omitted, which signifies that each one of the tribes specified in Entry 18 is deemed to be a separate tribe by itself. Therefore, "Mana" is not a sub-tribe of "Gond" but a separate tribe by itself and is a Scheduled Tribe".*

8. Even otherwise, this Court has already granted validity certificate to the cousin brother of the petitioner and the cancellation order passed by the Committee invalidating his caste certificate has been set aside. Hence, the findings recorded by the Committee do not stand to the reason and therefore, they are required to be set aside.

9. Therefore, we are of the considered view that the petition can be allowed by passing the following order:-

- i) The petition is allowed.
- ii) The impugned order dated 08.09.2022 passed by the District Caste Scrutiny Committee, Chandrapur in Case No. CH-3523/2021 invalidating the caste claim of the petitioner is quashed and set aside.
- iii) It is declared that the petitioner belongs to 'Zade' which falls under the NT-C category.

iv) The Committee is directed to issue validity certificate to the petitioner within two months from the date of receipt of this order.

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

(M. W. CHANDWANI, J.)

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

*RR Jaiswal*