



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

WRIT PETITION NO. 5172 OF 2025

PETITIONERS

- : 1] Nitesh S/o Santosh Ingale,
Aged about 28 years, Occu. Education.
- 2] Vidya D/o Santosh Ingale,
Aged about 23 years, Occu. Education.
- Both R/o at Po. Gowardha, Tah. Risod,
Dist. Washim.

VERSUS

RESPONDENTS

- : Scheduled Tribe Caste Certificate Scrutiny
Committee, Yavatmal, Dist. Yavatmal
through its Assistant Commissioner/
Vice Chairman.

Mr. S. S. Taram, Advocate for the petitioners
Ms. H. N. Jaipurkar, A.G.P. for the respondent sole

CORAM : SMT. M. S. JAWALKAR and
M. W. CHANDWANI, JJ.
DATE : DECEMBER 23, 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 petitioners challenge the order dated

21.07.2025 passed by the respondent – Scheduled Tribe Caste Certificate Scrutiny Committee, Yavatmal (hereinafter referred to as “the Committee”), thereby invalidating the caste claim of the petitioners that they belong to “Thakur” (Scheduled Tribe).

3. The petitioners claim to be belonging to “Thakur” (Scheduled Tribe), which is enlisted at Sr. No. 44 of the List of Scheduled Tribes under the Constitution (Scheduled Tribes) Order, 1950. The petitioners are students who are pursuing higher education and intend to avail the benefits available to a candidate belonging to Scheduled Tribes. Therefore, after obtaining Caste Certificates from the Sub Divisional Officer, Washim the caste claims of the petitioners were forwarded by their respective colleges to the Committee for verification. The petitioners produced all requisite documents including the caste validity certificates granted to their blood relatives from the paternal side i.e. real cousin brother, sister and uncle showing their caste as “Thakur” (Scheduled Tribe). However, by the impugned order the Committee chose to invalidate the caste claims of the petitioners.

4. The caste claims of the petitioners were invalidated

mainly on the ground that the caste claims of the relatives of the petitioners namely, Shivani Bhika Ingle and Mahesh Santosh Ingle are invalidated. Other flimsy reasons like the extract of birth register pertaining to the great-grandfather namely Tukaram Thakur showing the son born to him does not carry Serial Number in the Birth Register have also been given by the Committee while invalidating the caste claim of the petitioners. Moreover, the documents at sr.nos.9 to 11 (page 90 of the petition) which are the school records pertaining to the grandfather and cousin grandfather of the petitioner were not relied upon by the Committee just because the affidavits for taking entry in the said school records have not been found.

5. We have heard Mr. S.S. Taram, learned counsel appearing for the petitioners and Ms. H. N. Jaipurkar, learned Assistant Government Pleader appearing for the sole respondent. We have gone through the record and proceedings and the impugned order.

6. Before proceeding to deal with the documents, it will be appropriate to mention here that the order of invalidation of the caste claim of Shivni Bhika Ingle, the so called relative of the petitioners

has been set aside by this Court in Writ Petition No. 224/2025 vide judgment and order dated 05.08.2025 and the Committee was directed to issue caste validity certificate to her. Therefore, the ground that the caste claim of other relatives of the petitioners has been invalidated cannot be sustained.

7. So far as the documents at sr. nos. 9 to 11 (page 90) are concerned, there is no dispute about the existence of those documents. However, those documents have been discarded only on the ground that the supporting affidavits filed by the parents of the children/wards who were admitted in the school way back from 1928 to 1935, were not found. Since, the existence of those documents is not in question and the oldest document belonging to the great-grandfather is of the year 1928, we find that this is nothing but invention of new reasons by the Committee to reject the caste claims of the petitioners without any reason.

8. That apart, the extracts of birth register entries dated 01.02.1931, 10.12.1928 and 26.12.1932 wherein, the sons born to the great-grandfather of the petitioner are mentioned and the caste is shown as “Thakur”, were discarded only on the ground that the register in which the entries were taken do not bear Serial Numbers.

9. Having voluminous documents showing the caste of the petitioners and their forefathers as “Thakur” (Scheduled Tribe), the finding recorded by the Committee does not stand to the reason. The order impugned, therefore, is required to be set aside.

10. Accordingly, the writ petition is allowed.

(i) The order dated 21.07.2025 passed by the respondent – Scheduled Tribe Caste Certificate Scrutiny Committee, Yavatmal in Case Nos. 5/502/Edu/012019/116791 and 5/502/Edu/072019/148994, is quashed and set aside.

(ii) It is declared that the petitioners belong to “Thakur” (Scheduled Tribe).

(iii) The respondent – Scheduled Tribe Caste Certificate Scrutiny Committee, Yavatmal is directed to issue Validity Certificate in favour of the petitioners within two months from the date of receipt of this order.

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

(M.W.CHANDWANI, J.)

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