



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

WRIT PETITION NO. 5226 OF 2025

PETITIONER

: Bhavini Raviprakash Sangekar,
Aged about 16 years, Occu. Student,
through her natural Guardian father
Shri Raviprakash S/o Baban Sangekar,
Aged 55 years, R/o Jawahar Nagar,
Akola, Tq. and Dist. Akola.

VERSUS

RESPONDENT

: District Caste Certificate Scrutiny Committee,
Akola, Tah. & Dist. Akola,
through its Research Officer and
Member Secretary.

Mr. Ram D. Karode, Advocate for the petitioner
Mrs. S. S. Jachak, Addl.G.P. for the respondent

CORAM : SMT. M. S. JAWALKAR and
M. W. CHANDWANI, JJ.
DATE : DECEMBER 09, 2025.

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

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

2. The petition challenges the order dated 15.07.2025
passed by respondent – District Caste Certificate Scrutiny Committee,

Akola (hereinafter referred to as “the Committee”), whereby the Caste claim of the petitioner that she belongs to ‘Telangi’ Nomadic Tribe-C came to be rejected on the ground that, in the School Leaving Certificate of the grandfather pertaining to the year 1954, the caste mentioned is ‘Telgu’ and that the forefathers of the petitioner did not travel from one place to another for grazing animals and have a fixed place of residence.

3. The petitioner claims to be belonging to ‘Telangi’ caste which is declared as a Nomadic Tribe-C and enlisted in Serial No.2 of the Nomadic Tribe list in Maharashtra. She is a student who wanted to pursue her education on a seat reserved for Nomadic Tribe-C. Therefore, after obtaining the Caste Certificate, the caste claim of the petitioner was forwarded by the Principal, S.R. Patil, Arts, Commerce, Science Junior College, Akola for validation. The petitioner produced all the relevant documents showing her as well as the caste of her forefathers as ‘Telangi’ Nomadic Tribe-C. On receiving the proposal, the Committee handed over the claim of the petitioner to the Vigilance Cell for necessary enquiry.

4] It is to be noted here that, the Vigilance Cell recorded the

profession of the petitioner's forefathers as animal husbandry. However, the Committee relying on the contra entry observed that the forefathers of the petitioner were not travelling from one place to another, though they are in the profession of animal husbandry and therefore, they are not Nomadic Tribe-C. Considering the Vigilance Cell report, the Committee invalidated the caste claim of the petitioner. Being aggrieved with the rejection of the caste claim, the petitioner is before this Court.

5. We have heard Mr. Ram Karode, learned counsel appearing for the petitioner and Mrs. S.S. Jachak, the learned Addl. Government Pleader appearing for the respondent. We have gone through the record.

6. The documents produced by the petitioner consistently show the caste as "Telangi" Nomadic Tribe-C. However, one document of the year 1954 pertaining to her grandfather shows the caste as 'Telgu'. It will be useful to refer to the decision of this Court (Nagpur Bench) in the case of *Anil Ramdas Mede .vs. State of Maharashtra and others*, reported at *2004 (4) All M R 639* wherein, it is held that 'Telgu' is not a caste, it is an official language. This fact

has also been accepted by the learned Addl.G.P. Therefore, in our view, the Committee has erroneously treated the entry 'Telgu' in the document of the year 1954 as the caste of the petitioner. As such, the said finding does not stand to the reason.

7. So far as the second reason for rejection of the claim is concerned, once it is established that a particular community practices the profession of animal husbandry, it is sufficient to establish that such community would fall under Nomadic Tribe-C. There was no reason for the Committee to go into the fact whether the ancestors of the petitioner were travelling from one place to another when it was found in the vigilance enquiry report that his ancestors practiced the occupation of animal husbandry.

8. That apart, in wake of the decision of the Supreme Court in the case of *Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and others*, reported at (2023) SCC Online SC 326 wherein, it has been held that affinity test is not a litmus test, the impugned order passed by the Committee is erroneous and arbitrary and therefore, it is required to be set aside.

9. In view of the above and having considered the documents relied upon by the petitioner, we are of the opinion that the Committee ought not to have ignored the consistent entries in the documents filed by the petitioner showing her caste and the caste of her forefathers as Telangi Nomadic Tribe-C. Therefore, we find that the Committee has erroneously rejected the caste claim of the petitioner. Hence, we pass the following order :

10. The writ petition is allowed.

i] The impugned order dated 15.07.2025 passed by respondent – District Caste Certificate Scrutiny Committee, Akola in Case No. ED-2024-01508721, is quashed and set aside.

ii] It is hereby declared that the petitioner belongs to “Telangi” Nomadic Tribe-C

iii] The respondent – Committee is directed to issue validity certificate to the petitioner within a period of 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.)
Diwale

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