



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

WRIT PETITION NO. 7863 OF 2025

JAY VILAS GHATE

VERSUS

STATE OF MAH., THRU. ITS SECY., GEN. ADMN, DEPTT., MUMBAI AND ANOTHER

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Ms. Rajshree Kabra, Advocate for the petitioner
Ms. H. N. Jaipurkar, A.G.P. for respondent nos.1 and 2.

CORAM : SMT. M. S. JAWALKAR and
M. W. CHANDWANI, JJ.

DATE : DECEMBER 10, 2025.

1. Heard the learned counsel appearing for the petitioner.
2. The learned Asstt. Government Pleader appears and waives service on behalf of respondent nos.1 and 2.
3. Considering the innocuous prayer made by the petitioner for issuance of direction to the respondent no.2 – Sub Divisional Officer, Daryapur (for short “S.D.O.”) to issue Caste Certificate of “Koli-Mahadev” (Scheduled Tribe), we deem it appropriate to dispose of this petition at the stage of issuance of notice with the consent of both the parties.
4. The petitioner had applied before the respondent no.2 – S.D.O. for issuance of Caste Certificate of “Koli-Mahadev” (Scheduled Tribe) through online portal. Along with the application and other relevant documents, the petitioner had supplied the Caste Certificate issued to his

father and grandfather showing their caste as “Koli-Mahadev”. However, by the impugned order/communication dated 11.11.2025 issued through the online portal, the respondent no.2-S.D.O. sought pre-constitutional documents of the blood relatives of the petitioner showing the caste as “Koli-Mahadev”.

5. The submission is that, under 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 (hereinafter referred to “the Act of 2000”) there is no such mandatory requirement of submitting pre-constitutional documents. According to the learned counsel for the petitioner, since the father and the grandfather of the petitioner have already been granted Caste Certificates, there should not be any hurdle in issuing the Caste Certificate to the petitioner.

6. The learned A.G.P. has objected to the submission on the ground that the petitioner has to prove that his forefathers belonged to “Koli-Mahadev” (Scheduled Tribe) by showing pre-constitutional documents i.e. the documents prior to the year 1950.

7. Having heard the learned counsel for the petitioner and the learned A.G.P. for the respondents, we find substance in the argument of the learned counsel for the petitioner that there is no such mandatory requirement under the Act of 2000 for production of pre-constitutional

documents, more particularly when the father and the grandfather of the petitioner have been issued the Caste Certificate of “Koli-Mahadev” (Scheduled Tribe). Therefore, the petition deserves to be allowed.

8. Accordingly, the writ petition is allowed.

9. The impugned order/communication dated 11.11.2025 issued by the respondent no.2 - Sub Divisional Officer, Daryapur is quashed and set aside.

10. The respondent no.2 – S.D.O. is directed to decide the application filed by the petitioner within a period of four weeks from the date of receipt of this order, without insisting for pre-constitutional documents.

11. Needless to mention that, after the issuance of the Caste Certificate, the petitioner has to seek validation of his caste claim from the concerned Scheduled Tribe Caste Certificate Scrutiny Committee, if he wants to take benefits out of the said caste certificate.

12. The writ petition stands disposed of in the abovesaid terms.

13. Learned AGP to communicate this order to the respondent no.2- S.D.O.

(M.W.CHANDWANI, J.)

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

Diwale