



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14474 OF 2025

Kartik s/o Ashok Pawar,
Age: 20 years, Occu.: Student,
R/o. At. Post. Mali Ghogargaon,
Tq. Vaijapur, Dist. Chhatrapati Sambhajinagar.
At Present: Plot No. 25/D,
Ex-Service Man Colony, Padegaon,
Tq. and Dist. Chhatrapati Sambhajinagar.

...Petitioner

VERSUS

1. **The State of Maharashtra,**
Through its Principal Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32.
2. **Scheduled Tribe Certificate Verification Committee,**
Chhatrapati Sambhajinagar
Chhatrapati Sambhajinagar Dist. Chhatrapati Sambhajinagar.
Through its Deputy Director (Research) and Member Secretary,
3. **Zilla Parishad Chhatrapati Sambhajinagar**
Through Education Officer (Primary).
(Amendment carried out as per the
order of the Hon'ble Court dated 18.03.2026).

...Respondents

Advocate for Petitioner : Mr. Chandrakant R. Thorat
AGP for Respondent/State : Mr.S.P. Sonpawale
Advocate for Respondent No.3 : Mr. S.R. Dheple

CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.

RESERVED ON : 15.04.2026
PRONOUNCED ON : 20.04.2026

FINAL ORDER : (*PER : ABASAHEB D. SHINDE, J.*)

. Heard learned counsel Mr. Thorat for the petitioner, learned AGP for the respondent/State and learned counsel Mr. Dheple for added respondent No.3–Education Officer (Primary), Zilla Parishad, Chhatrapati Sambhajinagar.

2. By this Writ Petition, the petitioner impugns the judgment and order dated 09.09.2025 passed by the respondent No.2/Scrutiny Committee, Chhatrapati Sambhajinagar by which the tribe claim of the petitioner of belonging to ‘Thakar’ Scheduled Tribe has been invalidated.

3. Learned counsel for the petitioner would submit that though the petitioner has produced oldest documents of pre-independence era showing that the forefathers’ of the petitioner belongs to ‘Thakar’ Scheduled Tribe, the respondent No.2/Scrutiny Committee has discarded the said documents. He would further submit that the respondent/Scrutiny Committee while invalidating the tribe claim of the petitioner has discarded the document in the nature of school record of the petitioner’s grandfather viz. Baban Fakira Pawar pertaining to 07.07.1965 solely on the ground that, the said document which is an admission extract differs from the leaving certificate. He would further submit that the respondent/Scrutiny Committee disbelieved the said document even on the ground that name of the school on both the documents varies.

4. He would further submit that the respondent/Scrutiny Committee has even ignored the document in the nature of school record in respect of his cousin grandfather viz. Kachru Nathu Pawar

which is of the year 1940 and the said document has not even been dealt with in the impugned order. He therefore, urged that the impugned order be set-aside and the petitioner be granted tribe validity certificate.

5. On the other hand, learned AGP would submit that so far as the admission extract pertaining to the grandfather of the petitioner is concerned, on the said document the name of school is mentioned as 'Mission Primary School', Post Mali Ghogargaon, Tq.Vaijapur, District Chhatrapati Sambhajinagar whereas, on the leaving certificate of the same person, the name of the school is mentioned as 'Saint Joseph High School' Tq. Vaijapur, District Chhatrapati Sambhajinagar that too without mentioning the caste of the petitioner's grandfather. He would further submit that both these documents appear to be doubtful and the same cannot be considered at all.

6. In order to ascertain as to whether the said 'Mission Primary School' and 'Saint Joseph High School' are being run by the same management and whether the documents sought to be relied upon by the petitioner pertain to the grandfather of the petitioner, this Court by an order dated 18.03.2026 have directed the Education Officer (Primary), Zilla Parishad, Chhatrapati Sambhajinagar to make an enquiry.

7. Accordingly, the Education Officer (Primary), Zilla Parishad, Chhatrapati Sambhajinagar made an enquiry and submitted the report before this Court stating that the 'Saint Joseph High school' and 'Mission Primary School' are being run by the same institution from which the admission extract and the leaving certificate are

issued. The report also depicts that name of grandfather of the petitioner is shown at Serial No.1742 of the said register.

8. After considering the rival submissions advanced by learned counsel for the petitioner, learned AGP for respondent/State and learned counsel for added respondent No.3, we find that though the document pertaining to cousin grandfather of the petitioner viz. Kachru Nathu Pawar is available on record, there is no discussion about the said document in the impugned order which according to the petitioner is of the year 1940. Similarly, the Education Officer (Primary), Zilla Parishad, Chhatrapati Sambhajnagar has submitted the report for the first time before this Court. We find that in order to ascertain the genuineness of the school admission extract and leaving certificate pertaining to the petitioner's grandfather viz. Baban Fakira Pawar dated 07.07.1965 as well as for considering the document pertaining to the cousin grandfather of the petitioner viz. Kachru Nathu Pawar of the year 1940, the matter needs to be remanded back to the respondent/Scrutiny Committee for deciding it afresh after ascertaining these two documents.

9. We therefore, are inclined to allow the Writ Petition partly. Hence, we pass the following order :

ORDER

- a) The Writ Petition is partly allowed.
- b) The impugned judgment and order dated 09.09.2025 passed by the respondent/Scrutiny Committee, Chhatrapati Sambhajnagar thereby invalidating the tribe claim of the petitioner of belonging to 'Thakar' Scheduled

Tribe is hereby quashed and set-aside.

c) The matter is remanded back to the respondent/Scrutiny Committee to consider the document pertaining to Kachru Nathu Pawar of the year 1940 as well as the school admission extract and leaving certificate of grandfather of the petitioner viz. Baban Fakira Pawar.

d) The respondent/Scrutiny Committee may decide the tribe claim of the petitioner in accordance with law and on its own merits and if required, even by conducting a fresh vigilance cell enquiry.

e) In peculiar facts and circumstances of the case, we direct the respondent/Scrutiny Committee to make an endeavour to decide the tribe claim of the petitioner as expeditiously as possible and preferably within a period of 12 weeks from today.

f) With these directions, the Writ Petition stands disposed of.

(ABASAHEB D. SHINDE, J.)

(SANDIPKUMAR C. MORE , J.)

V.S.Joshi