



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

982 WRIT PETITION NO. 2514 OF 2026

Vikram S/o Laxman Sirmanwar,
Age : 30 Years, Occ. Education,
R/o. Apurva Niwas, Rajendranagar, Kinwat,
Tq. Kinwat, Dist. Nanded.

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Social Welfare Department,
Mantralaya, Mumbai.
2. The Additional Collector,
Office of the Collector,
Nanded, Dist. Nanded.
3. The Sub Divisional Officer, Kinwat
District Nanded.

..RESPONDENTS

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Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondent/State: Mr. P. S. Patil

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

DATED : APRIL 02, 2026

FINAL ORDER (PER ABASAHEB D. SHINDE, J)

1. Heard.
2. By this Writ Petition, the petitioner is challenging the order dated 09.10.2025 passed by respondent No.3- Sub Divisional Officer, Kinwat, District Nanded, thereby rejecting the application of the

petitioner for issuance of caste certificate of belonging to “*Yellammalawandlu*” – Scheduled Cast as well as the judgment and order dated 19.12.2025, passed by respondent No.2/Scrutiny Committee, thereby dismissing the appeal filed by the petitioner, challenging the rejection of the application for issuance of caste certificate.

3. The learned counsel for the petitioner would submit that, the petitioner in support of his application has relied on, the caste validity certificate dated 24.06.1998 issued in favour of his uncle. He submits that, the petitioner has also placed on record the copy of caste certificate of his father, issued by Tahsildar, Kinwat, dated 26.02.1985. He, therefore, submits that, the petitioner has produced sufficient documents so as to obtain the caste certificate. He, however, submits that, the Sub-Divisional Officer committed an error in rejecting the application made by the petitioner on the ground that the petitioner in the first place has failed to show that the forefathers of the petitioner have migrated from the erstwhile State to the State of Maharashtra prior to 1950. He would further submit that, the Sub-Divisional officer has also committed an error in discarding the caste certificate of his father, solely on the ground that the petitioner has failed to substantiate that the petitioner or his forefathers were residing at the place from-where the caste certificate of petitioner’s father was issued prior to 1950.

4. The learned counsel for the petitioner would further submit that, the respondent No.2/Scrutiny Committee has also committed an error in dismissing the appeal filed by the petitioner, reiterating the reasons assigned by the Sub-Divisional Officer. Lastly, he would submit that, as contemplated under Section 4 of 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), the petitioner has produced voluminous record in support of his case for obtaining the caste certificate, which includes the caste certificate of petitioner's father. In that view of the matter, he would submit that, the petition deserves to be allowed by setting-aside the impugned orders.

5. Per contra, the learned A.G.P would submit that, the Sub-Divisional Officer, in the first place, and the Caste Scrutiny Committee, while dismissing the appeal have rightly arrived at a conclusion that the petitioner has failed to show that the forefathers of the petitioner have migrated from the erstwhile State to the State of Maharashtra prior to 1950. He would, urge that this very aspect goes to the root of the matter and therefore, unless and until the petitioner is able to show that the petitioner's forefathers are the residents of State of Maharashtra prior to 1950, the caste certificate relied upon by the petitioner of his father cannot be considered. He, therefore, urge that

the Writ Petition deserves to be dismissed.

6. After having heard the learned counsel for the petitioner and the learned A.G.P, we find that while making an application seeking caste certificate, the claimant is supposed to produce on record the documents as contemplated under Section 4 of the Act of 2000. The petitioner has rightly relied on the caste certificate of his father, which itself is in compliance with Section 4 of the Act of 2000. We, thus find that, the impugned order passed by the Sub-Divisional Officer in the first place, and the scrutiny committee while dismissing the appeal are unsustainable. It is settled position of law that, while considering the application for issuance of caste certificate, the Sub-Divisional Officer is supposed to consider the *prima facie* material produced in support of the application and he cannot undertake the task of going into the genuineness and validity of the said documents. The caste certificate so issued, is always subject to verification at the time of grant of validity certificate. In that view of the matter, we find that the impugned orders deserve to be quashed and set aside. We, therefore, pass the following order.

ORDER

- (I) The impugned order dated 19.12.2025 passed by respondent No.2/Scrutiny Committee as well as order dated 09.10.2025 passed by respondent No.3 Sub Divisional Officer, Kinwat are hereby set aside.

- (II) Respondent No.3 Sub-Divisional Officer, Kinwat is directed to issue caste certificate in favour of the petitioner of belonging to “*Yellammalawandlu*” caste within a period of 15 days from the date of receipt of this order.
- (II) We make it clear that the issuance of caste certificate in favour of petitioner shall be subject to verification by the Scrutiny Committee at the time of granting validity.
- (IV) The Writ Petition stands disposed of.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE

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