IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4487 OF 2017

Vishnu Motaba Kesarkar ...Petitioner

Versus

Masnu Raoji Sutar And Others ...Respondents

Mr. Shubham Dhenge a/w Ms. Ankita D. Mali, for the Petitioner.
Mr. Rahul Walvekar a/w Mr. Kunal Nalawade for Respondent Nos.1 to 3.
Mr. R.P. Kadam, 'B' Panel Counsel / AGP for the Respondent-State.

CORAM : SHARMILA U. DESHMUKH &
ABHAY J. MANTRI, JJ.

DATE : OCTOBER 28, 2026

P. C. :

1. At the outset, learned counsel appearing for the Petitioner seeks leave to delete Respondent No.1 who has expired. Leave granted. Amendment to be carried out forthwith. Re-verification is dispensed with.

2. By the present Petition, the Petitioner challenges the order dated 27th February, 2017 passed by the District Caste Certificate Verification Committee, Kolhapur in Appeal No.13 of 2011.

3. A preliminary objection has been taken by learned counsel appearing for Respondent Nos.2 and 3 as to the locus of the Petitioner.

4. Upon a query by this Court, learned counsel appearing for the Petitioner relies on Rule 19 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 Rules, 2012. Perusal of Rule 19 would indicate that any complaint or allegation that a person to whom a caste certificate has been issued is not belonging to the caste or tribe mentioned in the certificate shall be inquired into by the concerned Scrutiny Committee. The Rule will, therefore, apply only when a caste certificate has been issued.

5. In the present case, the impugned order dated 27th February, 2017 merely directs the Respondents to apply afresh and the Sub-Divisional Officer to take a decision on merits. Rule 19 is, therefore, clearly inapplicable to the facts of the present case. In view thereof, the Petitioner has no locus to challenge the impugned order.

6. The Petition stands dismissed with costs of Rs.5,000/- to be paid to the Bombay High Court Kolhapur Bench Bar Association. The details of the Bank Account are as follows :-

Bank Name	:	Shri. Gajanan Nagari Shakari Patsantha, Marya, Patolewadi, Kolhapur
Account holder	:	BOMBAY HIGH COURT KOLHAPUR BENCH BAR ASSOCIATION AD-HOC COMMITTEE
Branch	:	Shahupuri, Kolhapur.
Account No.	:	00032010001745

[ABHAY J. MANTRI, J.] **[SHARMILA U. DESHMUKH, J.]**