

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 12657 OF 2024

Shaikh Satim Ali Tauseef

...Petitioner

Vs.

1. The State of Maharashtra

2. District Caste Certificate Scrutiny
Committee

...Respondents

Adv. R. K. Mendadkar with Adv. Jayshri Mendadkar, Adv. Jagdish Kawle and Adv. Prajkta Pashte - for the Petitioner
Shri P. P. Kakade Addl. GP a/w Smt. G. R. Raghuwanshi, AGP for Respondent-State.

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.

DATE : 14th JANUARY 2026

ORAL ORDER (PER M. S. KARNIK, J.) :-

1. Heard learned counsel for the Petitioners.
2. The learned AGP has argued the matter in support of the impugned order. He submitted that Petitioner's caste claim was rejected as there was some interpolations and tampering in the documents which were submitted by the Petitioner in support of his caste claim.
3. However, we find that there are atleast two caste validity

certificates of the close blood relatives of the Petitioner by name Atif and Satim, whose names are shown in the genealogy at page no. 33 of the paper book and as claimed by the Petitioner which are not at all considered by the Committee.

4. This Court in *Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee and Ors.*¹ in paragraph no. 4 held as follows :-

“We have considered the matter and we are of the view that the petitioner's caste claim that she belongs to Kanjar Bhat-Nomadic Tribe ought to have been accepted by the Committee merely on the basis that identical caste claim of her sister that she belongs to Kanjar Bhat has been allowed by the Committee, even apart from the Government Resolution. We are of the opinion that the guidelines provided by the said Govt. Resolution are sound and based on sound principles. It would indeed be chaotic otherwise. If the relationship by blood is established or not doubted, and one such relative has been confirmed as belonging to a particular caste, there is no

¹ (2010) 6 Mh. L.J.

reason why public time or money should be spent in the committee testing the same evidence and making the same conclusion unless of course the Committee finds on the evidence that the validity of the certificate of such relation has been obtained by fraud.”

5. In the context of the present case, reliance on the decision of the Supreme Court is profitable. In **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and Others**², the following three essential prerequisites for granting caste validity certificates were outlined by Their Lordships at paragraph 24, which are thus :-

- (i) The applicant must establish a clear and specific relationship with the person in whose favour the validity certificate has been issued;
- (ii) The Scrutiny Committee must verify whether the validity certificate was granted to the applicant's blood relative after due enquiry and in accordance with prescribed procedure; and
- (iii) The Scrutiny Committee must ascertain the genuineness of the validity certificate relied upon.

6. The aforesaid decisions rendered in the context of Caste validity Certificates issued to close blood relatives qua the claim of the

² (2023) 16 SCC 415

Petitioner has not been adverted to by the Committee. The Committee has not at all referred to the Caste validity certificates issued to the close blood relatives of the Petitioner. It is of course for the Petitioner to establish that Asif as well as Satim are close blood relatives as per genealogy, at page no. 33 of the paper book. The genealogy was a part of the record of the Committee.

7. The impugned order is therefore set aside. The matter is remanded to the Scrutiny Committee for fresh consideration of the caste claim of the Petitioner on its own merits and in accordance with law.

8. The Petitioner shall appear before the Scrutiny Committee on 05th February 2026 at 11.00 a.m. along with a copy of this order.

9. The Petitioner shall co-operate with the Scrutiny Committee and shall not ask for unnecessary adjournment.

10. The Committee to decide the Caste claim of the Petitioner on its own merits preferably within a period of six months from the date of communication of this order.

11. With these observations, the Writ Petition is disposed of.

12. Pending interim application, if any, also stands disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)