



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.17335 OF 2024

Aditi Anil Gaikwad, aged 20 years,
Residing at Vasant Vihar-3,
Survey No.505, Plot no.53,
Near Raje Ganpati, Pune Naka,
Solapur.

... Petitioner

Versus

1. State of Maharashtra
through its Secretary, Tribal
Development Department,
Mantralaya, I Mumbai-400 032.
2. Scheduled Tribe Certificate Scrutiny
Committee, Pune Division, Pune
through its Member Secretary,
having its office at Kapil Towers
Pune, District Pune
3. Competent Authority,
State Common Entrance Test Cell,
New Excelsior Building, 8th Floor,
Karve Marg, Fort, Mumbai.

.... Respondents

Adv. R. K. Mendadkar a/w Adv. Priyanka Shaw, for the Petitioner.
Mr. B. V. Samant, Addl.G.P a/w Smt. R. A. Salunkhe, AGP, for the
Respondent-State.

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

DATE : 23rd FEBRUARY, 2026

ORAL JUDGMENT (PER M. S. KARNIK, J.) :

1. Heard learned counsel for the parties.
2. The caste claim of the petitioner as belonging to 'Thakar, Scheduled Tribe' is invalidated by the impugned order passed by the respondent No.2-Scrutiny Committee. The petitioner's father as well as the petitioner's cousin uncle have been issued the certificates of validity as belonging to 'Thakar, Scheduled Tribe'. The certificate of validity was issued to the petitioner's father after considering the documents and associated facts. Similarly, in the case of the petitioner's cousin uncle, viz. Ramchandra Bhagwan Gaikwad, the certificate of validity was issued. Thus, we find that the certificates were issued on the basis of the documents and associated facts.
3. Learned Additional Government Pleader submitted that these certificates of validity were rightly discarded, as every case has to be decided on the facts of each case. It is further submitted that show cause notices have been issued to the petitioner's father as well as cousin uncle viz. Ramchandra Bhagwan Gaikwad, for revocation of the caste certificates of validity.
4. In our opinion, merely because show cause notices have

been issued to the petitioner's father or cousin uncle is no ground to assume that the certificate of validity shall be cancelled. The show cause notices obviously will be taken to its logical conclusion in accordance with law. Merely because the show cause notices are pending is no ground to deprive the petitioner of the benefits of the validity, if otherwise the relationship of the petitioner with the certificate of validity holder is established. The certificate of validity was issued to the petitioner's father after considering the documents and associated facts. The fact, that the petitioner is a daughter of Anil Gopinath Gaikwad, the certificate of validity holder, is not disputed. In view of the law laid down by the Hon'ble Supreme Court in **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti vs. State of Maharashtra and Others**¹ as well as this Court in **Apoorva d/o Vinay Nichale vs. Divisional Caste Certificate Scrutiny Committee No.1 and others**², the petitioner being the close blood relative of the validity holders, is entitled to succeed.

5. The Writ Petition is allowed. The impugned order is set aside. The Scrutiny Committee is directed to issue a certificate of

1 (2023) 16 SCC 415

2 2010(6) Mh.L.J. 401

validity to the petitioner as belonging to 'Thakar, Scheduled Tribe' within a period of six weeks from the date of communication of this order.

6. The show cause notices issued to the petitioner's father and her cousin uncle shall obviously be taken to its logical conclusion in accordance with law. The issuance of the certificate of validity to the petitioner is made subject to the outcome of the show cause notices. On adjudication of such show cause notice same consequences arising therefrom will govern the present certificate of validity as well.

7. The Writ Petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)